

OGDEN VALLEY PLANNING COMMISSION

MEETING AGENDA

October 28, 2025

Pre-meeting 4:30pm/Regular Meeting 5:00 pm



- **Pledge of Allegiance**
- **Roll Call:**

1. **Training:** Public Clamour - **Courtlan Erickson**
2. **Minutes:** July 22, 2025, August 5, 2025 and August 26, 2025
3. **Administrative Items**

3.1 CUP 2025-22: Request for approval of a conditional use permit for a public utility substation located at approximately 3980 N 3500 E, Liberty, UT, Applicant proposes to construct infiltration basins for treated wastewater. Treatment will occur off-site, on property located near Nordic Village, and transferred to this proposed site for infiltration.

Applicant: *Nathan Shellenberg*; **Staff Presenter:** *Tammy Aydelotte*

3.2 CUP 2025-19: Request for approval of a conditional use permit for a bed and breakfast dwelling, located at 2978 N 3500 E, Eden, UT, 84310.

Applicant: *Adam Madetzke*; **Staff Presenter:** *Tammy Aydelotte*

3.3 DR 2025-15: Request for approval of a design review application for a residential accessory structure that is proposed to be more than twice the footprint of the existing residence. Per Weber County LUC 108-7-16(c) "Accessory buildings that exceed the dwelling in area by more than double as measured by the footprint of the dwelling shall require approval by the planning commission as a design review." Located at approximately 7704 E 500 N, Huntsville, UT, 84317.

Applicant: *Paul Jeppsen*; **Staff Presenter:** *Tammy Aydelotte*

3.4 CUP 2025-20: A request for conditional use approval to expand the infrastructure and footprint of a public utility substation site. This proposal includes replacement of existing transformers, improving wildfire mitigation standards, and increasing overall reliability through upgrades to the existing site. Located at approximately 5700 E 2100 N, Eden, UT, 84310.

Applicant: *Utah Power and Light/Rock Mountain Power*; **Staff Presenter:** *Tammy Aydelotte*

3.5. DR 2025-10: Request for design review approval for self-storage units located at 4690 E 2650 N, Eden, UT, 84310 in the CV-2 Zone. This is an allowed use per a Zoning Development Agreement recorded 12/15/2020 (see entry# 3110220).

Applicant: *Jeff Allan*; **Staff Presenter:** *Tammy Aydelotte*

3.6 UVN102425: A request from Nordic Village Venture for preliminary subdivision approval of Nordic Village Phase 3 Subdivision, an 80-lot subdivision located in the Form-Based (FB) Zone at approximately 2600 Nordic Valley Way, Eden, UT, 84310.

Applicant: *Ryan Christofferson*; **Staff Presenter:** *Tammy Aydelotte*

3.7 CUP 2025-21: A request for approval of a conditional use permit for a laydown yard situated on a property within the MV-1 Zone. The laydown yard is used by 1884 LineCo for Rocky Mountain Power Work on the Eden Wildfire Mitigation Plan.

Applicant: *Victoria Garcia*; **Staff Presenter:** *Felix Lleverino*

Meeting Procedures

Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

Commenting at Public Meetings and Public Hearings

Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will be left with the Planning Commission.

Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.

4. Public Comment for Items not on the Agenda:
5. Remarks from Planning Commissioners:
6. Planning Director Report:
7. Remarks from Legal Counsel

Adjourn

The meeting will be held in person at the Weber County Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.

Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8371 before the meeting if you have questions or comments regarding an item.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for July 22, 2025. Pre-meeting – 4:30 p.m./ Regular Meeting commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Jeff Burton, Bryce Froerer, Heidi H. Gross, and James (Jim) T. Morgan.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**

- **Roll Call:** Chair Wampler conducted roll call indicated Commissioner Warburton was excused from the meeting; all other Commissioners were present. She welcomed new Commissioners Heidi Gross and Jim Morgan.

Chair Wampler called for Commissioners to declare any conflicts of interest or ex-parte communications. No declarations were made.

1. Legislative items:

1.1 ZDA2025-05: A public hearing, discussion and possible decision regarding a development agreement amendment for the Exchange, a previously approved master planned development in the Wolf Creek area. Staff Presenter - Charlie Ewert.

Applicant: Eric Householder

Planning Director Grover provided an explanation of the Planning Commission's role and responsibilities when dealing with legislative items. He noted that the applicant has requested a recommendation from the Commission this evening and, therefore, tabling the application is not an option.

A staff memo from Principal Planner Ewert explained the purpose of the requested development agreement amendment is to clarify roles, reduce inconsistencies, correct errors, and improve interpretation by separating The Exchange from a previously combined development agreement (shared with Eagle Crest and Cobabe Ranch). The applicant also proposes a revised concept plan, updated land uses, and modified development standards. Following are the key points of the amendment:

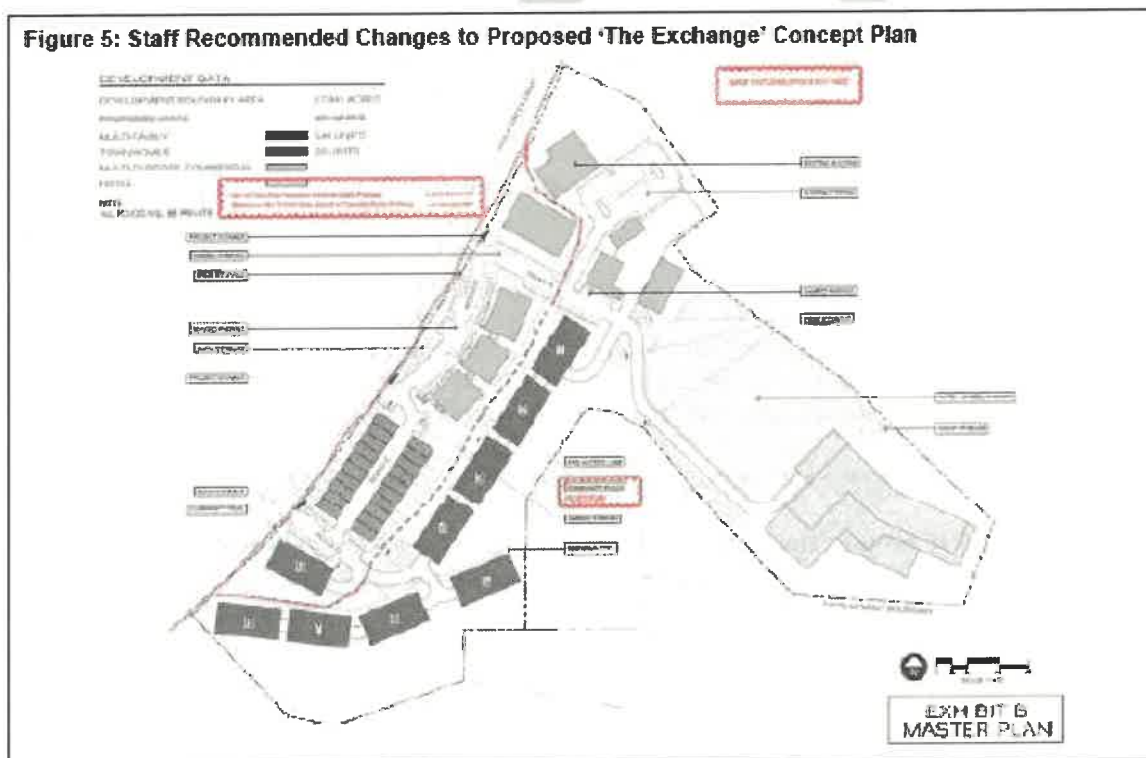
1. **Clarifying and Simplifying Agreements** - The 2023 development agreement combined three developments into one agreement, causing potential interpretive and legal challenges. Eagle Crest and Cobabe Ranch now have their own agreements. This amendment would complete the separation by creating a standalone agreement for The Exchange, reducing future risk of conflict.
2. **Revised Concept Plan** - New plan reduces frontage on Highway 158 and shifts some land uses. Condominiums are being replaced with townhomes and general multi-family dwelling units and general retail is being replaced with multi-purpose commercial. These changes are consistent with the CVR-1 zone. A bigger change is the hotel footprint, which is proposed to increase (from ~11,000 sq. ft. to ~55,000 sq. ft.). The increase is still allowed under current zoning, but worth noting.
3. **New Land Use Categories & Standards** – The proposal groups development into four categories: townhomes, multi-family, commercial, and hotel. Each category has a defined list of allowed/prohibited uses (see Exhibit C of the development agreement for a full review). Additionally, alternative development standards are being proposed, that differ in content but perhaps not in context from those already allowed in the CVR-1 zone. A comparison table (Exhibit D) helps visualize these changes.
4. **Residential Density** - No change proposed to total potential units (144 max), but of these units, 80 have already been moved to Eagle Crest and 64 remain with The Exchange. The applicant holds 20 "floating units" being proposed to be assigned. There are no other developments controlled by the applicant to which these floating units can be assigned. Thus, the proposed agreement sets an "initial density" of 84 units (144-80+20), with the maximum of 144 only being possible via future transferable development rights.
5. **Zoning Implications** – The property zoning is not proposed to be changed (CVR-1, RE-15, MPDOZ). However, ~1.89 acres still zoned RE-15 are treated as CVR-1 by both the existing and proposed agreement, effectively nullifying the application of the RE-15 zone to the property. County may consider a future zoning map amendment to formally align the zones.

Both planning and legal staff have reviewed the proposal and offer several edits, corrections, and suggestions. Those are either identified in track changes or in comment bubbles in the right margin of the draft agreement. Staff's review of the proposed concept plan can be reviewed in Figure 5 below, or if more clarity is needed, in the Exhibits of the proposed agreement. After reviewing the proposal within the constraints of the existing approved development agreement and the intended context of the Ogden Valley General Plan, and the CVR-1 zone, it is staff's opinion that this development agreement amendment will help advance the vision and goals of the plan and contribute to the general welfare of the residents regardless of the governing jurisdiction. Staff is recommending approval of the development agreement amendment. This recommendation is offered with the following considerations:

1. Staff's comments, suggestion, and edits regarding the DA should be more fully addressed prior to county commission approval.

This recommendation is offered with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provide for better project outcomes than.
3. A negotiated development agreement is the most reliable way for both the jurisdiction and the applicant to realize mutual benefit.



The Commission engaged in high level discussion of changes to the land use table relative to housing unit types; the number of transferrable development rights (TDRs) that are available for the project and receiving areas within the project for the 'floating' 20 Wolf Creek TDRs; employee and affordable housing requirements in the project area; short term rentals (STRs) and whether there will still be a demand for that type of housing unit given inclusion of a hotel in the project area; traffic impacts associated with the project and the ability of Utah Department of Transportation (UDOT) roads to handle an increased capacity in the Ogden Valley; how the updated project concept deviates from the 2023 approved concept plan and the County's ability to enforce language or development requirements/standards cited in the 2023 development agreement; and pedestrian access/trails in the project area.

Chair Wampler invited input from the applicant.

John Lewis, Huntsville, approached the Commission and expressed a willingness to answer any questions they have.

Chair Wampler asked if the plans for the subject property include an amphitheater, to which Mr. Lewis answered not currently and noted the entire project plan is still in the conceptual phase; he is attempting to clarify allowed uses in the project area and combine the three historical development agreements (DAs) into one for the project. Chair Wampler stated the 2015 DA and concept plan included an amphitheater; she would like for that component of the project to be carefully considered from a health/safety standpoint given that it was located fairly close to one of the tee boxes on the golf course. She then asked Mr. Lewis if he knew where he planned to bring the 60 TDRs from for this project. Mr. Lewis answered yes.

Commissioner Gross inquired as to the number of rooms to be included in the hotel. Mr. Lewis reiterated that the plans for the property are conceptual in nature, but he is guessing the hotel size would be approximately 130 rooms with some event/conference space. He expressed an understanding of the requirement to comply with the County's land use code (LUC).

Commissioner Froerer asked for an explanation of the request for an extra 10-feet relative to the maximum building height in the project. Mr. Lewis stated he was trying to secure some flexibility to accommodate architectural plans for the project. Commissioner Froerer asked how much below ground development there will be on the site. Mr. Lewis stated he anticipates at least one floor underground, particularly for the hotel.

Commissioner Morgan asked if there was any consideration of overflow parking for the project area. Mr. Lewis acknowledged potential concerns related to parking requirements for a project of this size; he referenced a parking lot included in the concept plan and stated it is so big because it will provide for overflow parking area and prevent the need for on-street parking along the highway.

Commissioner Gross asked how any type of underground development, including construction of an underground parking structure, could impact the water table in the area. Mr. Lewis stated he has not seen a problem with water table in this particular location, but if any issues are found they will be addressed in the engineering stages of the development.

Mr. Lewis then stated he has listened to the concerns expressed by the Planning Commission tonight; he considers this property and the proposed project to be the 'crown jewel' of the Ogden Valley and he wants to get it right. He would like to hear what the audience has to say about the project and then make final comments to the Commission. He is willing to compromise with the Planning Commission and the public. Chair Wampler stated that she feels Mr. Lewis has asked for a lot and has not offered anything in return in the form of a compromise; she would like to hear what he can offer in terms of amenities that will benefit the public. She looks forward to hearing about his compromises after the public hearing.

Vice Chair Barber moved to open the public hearing; Commissioner Froerer seconded the motion; all voted in favor.

Miranda Menzies, 3807 N. Elkridge Trail, Eden, stated she is speaking on her own behalf and not in representation of any association she belonged to in the past. She first asked that the agreement be approved, not exactly as written, but overall, the commercial core needs to be clarified. She asked for the following changes or modifications: limiting maximum building heights to 50 feet as required by the LUC because of the proximity of the project to existing residential homes and because of the height of the hill where the hotel is proposed to be located. She would also like architectural guidelines that would be applied to the hotel and the rest of the project. She has been told many things over the years by Mr. Lewis; he told her when the land was rezoned for commercial use that it would be a recreation center for the community. She knows that is not the case, but maybe the hotel pool could be opened to the public at times for lap swimming. She also noted she and Mr. Lewis built the pathway in the Valley together and the area needs the pathway to continue through the project and up to Elkhorn Drive, and preferably all the way to the Fairways development. This will help to achieve connectivity of public pathways in the Valley. She discussed other pathway routes in the area and indicated there are some spots along the paths where the likelihood of a vehicular collision is higher. There have been plans for an underground tunnel for the trail and golf cart path to improve user safety and she suggested that the tunnel be made part of this project area. It has already been designed and should be incorporated into the site plan for the project. She also spoke briefly to comments that have been made about water on the subject property; Mr. Ewert has been making statements about Pineview that are inaccurate. Pineview does not provide any water to the Valley and only has storage infrastructure in the area. Weber Basin Water Conservancy also does not have water rights, and they only have storage rights; they release water out of the reservoir to supply customers downstream. They own the top section of the reservoir and other water right owners include Ogden City and Pineview Water Users. It is remarkably difficult to approve an exchange application that includes surface water. Wells have been rejected in the area because of conflicts associated with water rights; if historic water rights are purchased and transferred, that will be easier, but ground water will be a more difficult issue to address.

Jan Fullmer, 3741 Red Hawk Circle, Eden, stated that Mr. Ewert has pointed out the proposed changes to the development agreement and she respectfully requests that the Planning Commission deny the request. The proposal is not consistent with the Ogden Valley General Plan, which has a primary goal of preserving Ogden Valley's rural character. Allowing a hotel that is 60 feet tall placed at one of the highest elevations in the Valley does not support rural character. She referenced documents dating back to 2006 and noted this particular area has had several different plans for development; there have been many changes but in October of 2006 the County, developer, community, and architect actually looked at a building similar to the hotel that was only 41 feet in height. They floated helium balloons to that height to see what it would look like at that height in the valley. They backed up and decided it did not look good and made decisions to require it lower. She then stated that with respect to TDRs, there was only one instance where a TDR was transferred as she recalls as defined in the General Plan; a developer gave up one of his development rights and actually sold it to someone else as intended in the General Plan. What is happening now actually jeopardizes the ability to project and track what the total build out of the Valley will be. It is necessary to supply water and sewer processing to handle the total buildout and right now that is very difficult to do based upon insufficient tracking measures. Second, Weber County Planning Division did hold a planning meeting with residents around Old Town Eden and the community input resulted in a very nice plan for that area; it included building height restrictions, well thought out concepts, and street/parking regulations. However, there has never been any community held for New Town Eden. There was a proposal for the main street of New Town Eden to go from State Road 158 to near the post office, but that was squelched because someone who owned property on the main street built a concrete storage structure, which does not add to a main street of a town. She noted there were no architectural standards for the concrete building to comply with standards for this area of the Valley and this is displeasing to residents. Review and approval of development plans has been happening with little to no input from the community. She then noted the exchange of prior and current amendments simply adds more STRs to the Ogden Valley; she has been told that it will actually reduce the number of STRs but that is incorrect because up to 30 percent of the dwelling units in the Ogden Valley are allowed a STR.

Chad Booth, Eden, stated he wished to echo Ms. Fullmer's comments and added his own statements regarding the lack of clarity regarding the intent of the application. His experience has been that the person making the presentation always seems to have an agenda. He encouraged all parties to work together to continue moving in the direction of supporting the village node concept. There are big changes coming for the Ogden Valley and he does not understand the efforts to 'be squirrely' when these types of applications are discussed. The community needs transparency, clarity, and a willingness to work together for the benefit of the Valley.

Kay Hogelund, 4465 Kettering, Eden, stated she is the president of the master Homeowners Association (HOA) for Wolf Creek, but she is speaking as an individual today. She will make note of things that do impact the HOA and the Wolf Creek Resort as established in 2002. Many feel powerless to effect things happening in the Valley, especially after meetings are concluded, but she wished to point out two phenomena she has witnessed. First is planning creep, which she defined as the County looking at projects individually rather than holistically to consider how they relate to one another and the community at large. She is somewhat concerned about what is the Wolf Creek Resort as defined by the 2002 agreement. When talking about Cobabe and Eagle Crest, it was said that they would not be part of Wolf Creek Resort and would be looked at individually. However, based upon the information presented today, that appears to have changed, and Wolf Creek Resort has been expanded upon to allow the developer to move TDRs throughout the area. This will further spread development in the area, and she asked the Commission to vote against it. She then discussed what she referred to as 'TDR poker'; no one understands how many TDRs exist and how they may be used, particularly in this development. Good business practice would demand clarification and tracking of all TDRs in the history of the Ogden Valley, especially as they relate to this particular developer. An accounting of TDRs is important so that County staff and the residents of the Ogden Valley are not relying just on oral history. Finally, it is necessary to double-check the geology and presence of underground water in the project area.

Gary Fullmer, 3741 Red Hawk Circle, Eden, stated water and sewer service delivery is a big concern in the Ogden Valley and it is important to ensure there is a plan in place before any development is approved. He then stated that he has seen golf tournaments happen at the Wolf Creek Golf Course and that has resulted in a significant amount of vehicles requiring overflow parking and he asked how that will be handled when the proposed development occurs. He does not fault the developer for asking for a chance to talk to the public and the Commission about their concerns about the project.

Fred Blickly, 5377 Elk Horn Circle, Eden, stated Mr. Lewis's desire to build the crown jewel of the Valley is very good; he agrees some commercial development is needed, but not a 60-foot-tall hotel. He would like to see more specificity with respect to the development plans and how the project will fit into the General Plan. Some plans he has seen include removal of the driving range

at the golf course as well as the second hole. A golf course without a driving range is a bad idea and he currently considers the golf course to be the crown jewel of the Valley. Also, a traffic study of the area would be a good idea before anything is approved.

Ron Gleeson, Eden, thanked the Commission for their service to the community. He noted he cannot find a simple, straightforward solution to this situation; the Commission is being asked to deal with a classic spot zoning situation where Planning staff are making up rules to fit a certain scenario. Regardless of what decision is made, there will be unintended consequences. He believes the project should be approved with a few exclusions. He urged the Commission to deny the request for a 60-foot maximum building height; approving this type of request would set a precedent for the rest of the Valley. He also suggested denial of the TDR requests. He then noted that in the use table included with the application materials, all of the uses previously listed as 'conditional' have now been changed to 'permitted'; he believes that is fine for the most part, but some of the uses need to have some additional oversight. He then noted that there has been a lot of discussion about residential development unit rights, but no discussion about the type of development units that are needed for the hotel; every other zoning designation requires development rights for hotels, and he wondered why that is not the case in this situation. He expects the County to address the issue of development rights needed for the hotel itself.

Christopher Vosburgh, 2834 Nordic Valley Road, Eden, stated he is primary concern is high density housing/employee housing and associated traffic. There will also be a great deal of heavy truck traffic in the area during construction and the roads in the area are already crumbling and need to be repaired. He also suggested a traffic study be conducted before the project moves forward.

Chair Wampler then noted that the Commission has received written public comment via email; those comments will not be read for the record but will be attached to the approve minutes of the meeting.

To our Ogden Valley Planning Commission:

As longtime Elkhorn subdivision residents whose home sits immediately above the 8th hole on the Wolf Creek golf course, we write in protest of the potential changes to The Exchange concept plan being discussed at tomorrow's meeting--specifically the increased hotel footprint, a 150% increase from the initial plan. It seems frankly ridiculous to us that the concept of a small hotel adjacent to Wolf Creek Drive has been increased by this size with the location significantly changed after the fact of its initial approval.

This change, with the potential of a hotel structure extending into the area currently functioning as driving range, will result in a significant extension into the view plane of all surrounding properties above the golf course. Should current property owners be expected to live with a lighted parking lot in the middle of what used to be our golf course view--with lots of bright lights to keep us awake at night?! It seems to be a sad fact that these kinds of developments that detract from the quality of life we longtime residents have enjoyed are to the benefit of a developer who was once our neighbor. Changes that drastically revise a proposed development after the fact are disrespectful and unacceptable to local residents.

Perhaps we missed seeing proposals to build below grade and/or cover the parking structure; but this change is, to our minds, an eyesore in the making that causes us to ask that the proposed changes to The Exchange be denied.

Respectfully yours,

*Nancy Stukan
William Taylor*

Vice Chair Barber moved to close the public hearing. Commissioner Froerer seconded the motion; all voted in favor.

Chair Wampler then invited Mr. Ewert to address the points raised during the public hearing. Mr. Ewert referenced Mr. Gleeson's comments about development rights for the hotel; the hotel was previously proposed and conceptually approved and the LUC does not require a development right transfer ratio for a hotel in this zone. He also discussed the difference between a hotel and a condo-tel; a hotel unit is a suite while a condo-tel is a residential dwelling unit with kitchen and sanitation facilities. If a hotel room has a suite, kitchen, and sanitation facilities, it would also qualify as a dwelling unit and would count against the residential dwelling unit total. If the hotel room is just a room and a bathroom, the rooms do not count as residential dwelling units. He then addressed Mr. Vosburgh's comments about employee housing, noted there will definitely be an increase in traffic for employees

working in the project area, but there is not a set number of employee housing units in the project. He also addressed conceptual plans for the project and concerns expressed regarding impacts on the golf course, parking, and utility services and indicated that when the applicant comes with a formal site plan application for the project, staff will address parking, water/sewer service; however, if the Planning Commission feels there is not sufficient water/sewer service in the project area, they can include a finding or recommended condition of approval related to that matter. Will serve letters from utility service provider will be required before the application can move forward. Chair Wampler stated the Commissioners have been trained to separate land use applications from water availability and that only a will serve letter will be required before an application can proceed. Planning Director Grover stated that is correct. Mr. Ewert also agreed but indicated that this application is a legislative application and the Commission can attach a finding or a recommended condition of approval regarding water or sewer service. Chair Wampler stated that given that the developer is currently allowed 144 development units on the site, she would imagine that the developer has explored the availability of water and sewer service capacity for those 144 units. However, her concern moving forward is that the 144 units are in flux given the fact that there is now a TDR component to the project that could potentially increase the unit count substantially; in her opinion, the will serve letters would no longer be valid because the unit counts have changed. Commissioner Gross agreed and indicated the addition of a hotel that will not consume any of the development units will increase the demand for sewer and water in the project area. Mr. Ewert agreed and stated that many utility matters must be addressed and evaluated; the developer will not be able to develop unless he is able to prove the availability of and access to water and sewer services. If there is not enough water and sewer capacity to support the hotel, it will not be permitted. He highlighted some State laws and rules regarding obtaining will serve documentation from lawful service agencies and indicated several different developments in the Valley are in stasis until water and sewer capacity can be clearly communicated.

There was then high-level discussion among the Commission and staff regarding the design of trails and roadways in the proposed development, after which Chair Wampler invited additional input from Mr. Lewis. Mr. Lewis indicated that the audience provided good input during the public hearing and noted that he cares deeply about his private property rights, but developing in a way that serves the greater community. He noted this can be a difficult balance to strike but feels he has been successful in some of the projects he has completed over the last 30 years in the Ogden Valley. He stated that he is very supportive of providing new trails and connection to existing trails; this particular development has over a mile of trails, and he encouraged the Commission to give him the ability to work with staff on the design of the trail system and he feels the best way to handle connectivity of different projects in the area would be through the golf course. He then addressed concerns regarding STR units and indicated he has already taken 80 STRs out of the Wolf Creek Resort and moved the equivalent density to Eagle Crest. Chair Wampler asked if there will be STRs in the new project area. Mr. Lewis first addressed setbacks and building layout noted he will comply with setback and design requirements. There is some nuance that should be taken into account relative to language in the development agreement regarding setbacks. He then stated he did not anticipate including STRs in the project area, but is concerned about the opposition to transferring development rights from another area of the Valley into this project area; if no changes to the agreement are approved tonight, he will have 144 development unit rights and he would be fine preserving that and not bringing any other development unit rights into the project later. Chair Wampler stated it will be necessary to clarify the language in the agreement regarding the total number of development units and transfer of any units into the project area. Mr. Lewis stated he has a slightly different interpretation of the language in the agreement regarding density; the 2002 development agreement lists all parcels included in the project area and identifies density and he has fought since 2002 to ensure that no additional density points are added into the equation. Development units have been shifted from one area of the project to another, but the total number of development rights has not changed. He has done extensive work with staff to maintain the accounting of the density of the project area, and he is now on the last phase of the total project, and the remaining number of development rights must be preserved for this project. He then addressed concerns about increasing the maximum building height for the proposed hotel; he understands concerns about a 60-foot building height and is happy to abide by the 50-foot maximum building height for the CVR zone. Commissioner Froerer asked Mr. Lewis for his reasoning behind asking for the increase to 60 feet. Mr. Lewis stated that 50 feet is restrictive, and he was seeking some flexibility to accommodate the design of a hotel with reasonable ceiling heights and adequate space for all infrastructure. He noted that 10 feet would provide him that flexibility, but he understands the opposition and is fine sticking to the 50-foot maximum building height, though he understands it may only be possible to build a four-story hotel rather than a five-story hotel. He also addressed parking and noted he plans on building a large above-ground parking lot for overflow parking needs in the area. He can envision people parking in his parking lot and riding the bus to other points of interest in the area. He then noted there is a site identified for a community center type of use, and he wants to preserve that element of the project. This could include something like a pool or other recreational amenities that the public desires. He noted that a traffic study will be required because the project is accessed via UDOT roads. He concluded by stating that he appreciated Mr. Gleeson's comments; he has had several public meet and greets events about his projects in the past, but in recent years those types of events have become very negative and not beneficial. He is appreciative of the public that recognize that the project can move forward, but that they can provide input on the proposed concept for the project. Chair Wampler stated

that the Commission must make a decision on the application tonight, but she asked Mr. Lewis if he is committed to holding an open and public meeting about this project to give the community the opportunity to provide additional input. Mr. Lewis stated that he is committed to public engagement, and for this proposal specifically, he will create a steering committee that can provide input on the timing of development of different elements of the project.

Chair Wampler then asked Mr. Lewis's plans or vision for the driving range at the golf course and a pathway or tunnel to provide safe passage of golf carts on roads that will experience increased traffic. Mr. Lewis stated he considered a tunnel at one point and found it would not be feasible at this time; there may be future federal grant opportunities that would make a tunnel a possibility, but at this point he is spending \$3 million to upgrade the golf course and he cannot pursue a tunnel right now. He then agreed that the golf course needs to have a driving range, but possibly one that is modified from its current state. He would like to consider other options for the driving range, including possibly an indoor golf simulator coupled with a smaller outdoor driving range.

Vice Chair Barber moved to forward a positive recommendation to the County Commission for application ZDA2025-05 development agreement amendment for the Exchange, a previously approved master planned development in the Wolf Creek area, based on the findings and subject to the conditions listed in the staff report, and the following additional considerations and findings:

1. Maximum building height of 50-feet will be maintained;
2. No TDRs will be brought into the establishment unless, at some time in the future, the new incorporated city chooses to allow that under their land use code and a legislative process;
3. Not going beyond what State Code requires for outside inspectors or contractors;
4. Revise setbacks for the entire project as noted by the applicant;
5. A traffic study will be conducted on a winter weekend or winter weekend traffic will be taken into account;
6. Having some architectural renderings brought back into the agreement as a reference point;
7. When the time comes for the project to be built, the prevailing parking codes at that time for the Ogden Valley will be used;
8. There will be a requirement for roadside beautification based upon standard county code for such projects;
9. Extension of the pathway as mentioned by staff all the way to the north side of the project area.

Commissioner Froerer asked for clarification and asked Vice Chair Barber if he is referring to 64 or 84 units relative to the finding regarding TDRs. Vice Chair Barber stated that he is saying the total will be 84, which is 64 plus the 20 floating units, and no TDRs from outside the project area unless the future municipality chooses to grant a TDR at a point in the future.

Commissioner Froerer offered a friendly amendment to add a finding requesting that the trail system in all three developments be connected to one another. Chair Wampler asked if that would include the current application, Bridges, Eagle Crest, and Cobabe Ranch. Vice Chair Barber stated it may be difficult to connect to the Bridges phase of the project given its location. Chair Wampler stated that appropriate wording may be that rather than having the trail stop at the northern boundary of the property, the applicant would be directed to work with staff to connect further to other project areas.

Vice Chair Barber amended recommended finding #9 to state the applicant should work with staff as feasible to connect all of the trails in their project areas.

Chair Wampler asked if the findings are clear enough to warrant a second.

Commissioner Froerer seconded the motion. Commissioners Burton, Froerer, Gross, Morgan, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 6-0). Commissioner Warburton was not present when this vote was taken.

2. Public Comment for Items not on the Agenda:

Peggy Doolenbaker, 2619 Nordic Valley Drive, stated that she knows the Commission is focused on land use and zoning this evening, but she asked the Commission to consider what she hopes is another part of their role, and that would be helping residents navigate development issues and land use ordinance compliance. She cited some issues in Nordic Valley now that development has started; residents have called the County to complain about excessive dust, noise, and working on Sundays. One of the Department Heads that she spoke to indicated that they spoke with the developer and their contractors were not aware of some County codes; one of those contractors was Geneva Rock. She found this information shocking. She indicated there is no

dust mitigation occurring and plumes of dust have been so large that some have thought there was a fire in the area. Additionally, track hoes have been going through the property, along streambeds, and along the back of residential properties. One of the neighbors asked one of the track hoe operator what he was doing, and he communicated that he was building a road, but that he did not know where the lot line was in the area. She is concerned about that as well. She is concerned about disturbance of the streambeds that could result in future flooding. She asked the Commission to help ensure that developers know the codes and that codes are being enforced.

Jan Fullmer, 3741 Redhawk Circle, Eden, stated she has two letters that were sent in with comments, one from Mr. & Mrs. Taylor and another from Mr. Bird; she suggested these be included in the meeting minutes. Planning Director Grover asked Ms. Fullmer to provide him with the letters, and he will ensure they are attached to the minutes of the meeting. Ms. Fullmer then stated that that it is no longer an option for residents to participate in meetings via Zoom; now the Clerk/Auditor is sending out their tax meetings and Zoom participation is an option for those. She asked for an opportunity to work with Planning staff to determine if there is a policy regarding when Zoom participation will be allowed. Mr. Grover stated that the County Commission office has made that determination and he advised Ms. Fullmer to work with them. Ms. Fullmer then addressed form-based zoning; she asked the Planning Commission to not approve form-based zoning for any other project in the Ogden Valley. She cited a recent application from Cowboy Partners, which included plans for affordable housing in the Valley. This included well-maintained, small single-family homes, but it was in the wrong area and when a developer secures form-based zoning and later decides to move on to something, the form-based zoning designation increases property values. Her concern about form-based zoning is that it jeopardizes the County's ability to calculate and track the total buildout density of the Valley. The zone gives developers too much flexibility.

Sylvia Guerra Smith, 2871 Abbeyon, Liberty, stated she owns property in front of the Asgard Heights Subdivision; she requested the Commission deny the applicant's request for zoning for several homes in the form-based zone. She is concerned about the design of the project, which includes a traffic circle on Nordic Valley Drive. She has noticed several things happening on the subject property, like a lack of silt fencing along the creek, burning under a fire permit after fire restrictions had been imposed resulting in a call to the Fire Department, and concerning road construction. She does not believe a traffic circle on Nordic Valley Drive is appropriate. She also understands that the original density of the property was three-acre lots, and the applicant is seeking approval of one-acre lots.

Vosburgh, 2834 Nordic Valley Road, Eden, stated he wished to clarify the comments he made during tonight's public hearing; he is concerned about high density housing in the Exchange development in the Wolf Creek Area, not just employee housing.

3. Remarks from Planning Commissioners:

Chair Wampler addressed those present to hear discussion of tonight's work session items; given the late hour, the Commission may not get to all five work session items. She then asked Planning Director Grover if there had been any movement on the Cowboy Partners application. Mr. Grover stated there is nothing new to report. Mr. Ewert added he does not anticipate any movement before the end of the calendar year. Chair Wampler asked for an update on the C.W. Basin application, to which Mr. Grover answered no. Chair Wampler asked if there is anything new to report regarding Ogden City water projects in the Valley, to which Mr. Grover answered no. Mr. Ewert clarified that Ogden City water has submitted a work session regarding transferrable development rights (TDRs), which will be presented to the Commission during their August work session.

4. Planning Director Report:

Planning Director Grover recognized former Commissioners Schweppe and Shuman for their service and indicate Planning staff has a small token of appreciation that will be presented to the individuals.

5. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned to work session at 7:47 p.m.

WS1: Discussion regarding File ZDA2024-02 - An application for a development agreement for the Gateway Estates subdivision located at approximately 10678 East Highway 39. Staff Presenter - Charlie Ewert. Applicant: Matthew Lowe

Principal Planner Ewert reported the Planning Commission has discussed this proposal in a work session several months ago and offered the applicant valuable feedback and direction. In exchange for the development agreement and the benefits it offers the applicant, the applicant is proposing to donate \$50,000 to the Eden Valley Trails organization for the purpose of trail building in the Ogden Valley area. Mr. Ewert referenced the applicant's proposed development agreement, noting that staff has not had the opportunity to review it prior to publication of the meeting packet, but has reviewed and made comment back to the applicant on a previous version. Staff is prepared to discuss the details of this revised version of the agreement and if the Commission is comfortable, the application can move forward to the August business meeting.

Chair Wampler facilitated discussion among the Commission and the applicant regarding topics such as timing of the development/buildout of the project; the term of the agreement; and the timing of the donation to the Eden Valley Trails organization. Chair Wampler asked the applicant to provide a high-level overview of the project for the benefit of the new Commissioners, after which she concluded she sensed consensus from the Commission to proceed with consideration of a formal application at the next business meeting.

WS2: Discussion regarding a potential development agreement for a conservation subdivision located at approximately 4140 East 4100 North. Staff Presenter - Charlie Ewert. Applicant - Jeff Burton

Commissioner Burton recused himself from participating in discussion of this application as a member of the Commission; he indicated his daughter will be representing him this evening. Lacy Richards stated she is Mr. Burton's oldest daughter; she discussed the history of the subject property, which her parents have owned for 50 years. They purchased it with the intent of providing a place for future generations of their family to live. Based on the current zoning, they could develop 14 three-acre lots, but that is no longer the vision they have for the property. They would like to consider zoning that would allow for smaller lots that are located closer to the road, with preservation of 22 acres of contiguous open space that will continue to be used for agricultural purposes. She presented two different conceptual layouts of the property illustrating the two development options she has discussed. She then noted that if the County is agreeable to the second option, her family will propose a development agreement along with a perpetual open space easement that will be part of lot two in order to ensure that one property owner will be responsible for the open space maintenance and taxes. She feels this concept is most beneficial to other property owners in the area as well and her brother has visited with several other property owners to get their feedback. She concluded that there is no set timeline for the development at this time, but her parents would like for zoning to be approved so they can rest at ease knowing that their wishes for the property will be allowed.

Chair Wampler inquired as to the current zoning of the land, to which Principal Planner Ewert answered FV-3. This led to discussion among the Commission regarding permitted uses in that zone; the conceptual layout of the property and the ability of the family to maintain the large open space and pay property taxes in the future; and cluster subdivision regulations.

WS3: Discussion regarding File ZDA2025-04 - An application for a development agreement for a subdivision on the eastern end of 2300 North Street. Staff Presenter - Tammy Aydelotte. Applicant: Kirk Langford

Kirk Langford stated he is seeking approval of a two-lot subdivision on a parcel of land that is 9.23 acres in size; he is also seeking conditional approval for a three-lot subdivision on the same parcel of land, which he would proceed with if he is able to secure approval from the health department for the on-site wastewater system. This application is part of his family's estate planning, and he expounded on his desires for future uses of his property by his family. He noted he has discussed his application with County Planning staff, and they have advised he pursue a development agreement for the subdivision. He presented conceptual layouts for the two subdivision options and noted he desires for the land to continue to be a working farm in perpetuity rather than selling the land to developers for more dense development. Chair Wampler summarized her interpretation of Mr. Langford's proposal and the timing of the application dependent upon completion of a soil study and approvals from the health department. Planning Director Grover added that one significant component of the application is that Mr. Langford is asking for permission for private dirt roads to the lots, rather than paved roads. Mr. Langford stated that is correct, and he identified the location of the dirt road accessways/shared drives. He noted he will dedicate a 60-foot easement that would serve as future access to his nine-acre parcel and his 40-acre parcel in the event those properties are developed in the future. This led to discussion of the important elements of the development agreement to accompany the application, with Mr. Grover concluding that Planning staff can

continue to negotiate an agreement with Mr. Langford in preparation for his application being presented to the Commission at a future meeting.

WS4: Discussion regarding File ZMA2025-02 - An application to rezone property near the Nordic Valley Resort base to the FB zone. Staff Presenter - Charlie Ewert. Applicant: Dan Mabey

Dan Mabey stated his request is for some additional density in an existing subdivision that has two undeveloped lots totaling six acres in size. His motivation is similar to that of Mr. Burton and Mr. Langford before him; he is seeking to protect his land for future homes for his children and grandchildren. He is seeking the form-based zoning designation to allow for an additional 10 lots on the property, and the density will be similar to the density of properties surrounding him. If he can get support for the increased density, he will begin working on formal plats and subdivision layout concepts for the project. The Commission and Mr. Mabey engaged in discussion about transferrable development rights (TDRs) for the project; water availability; and existing development/density in close proximity to the subject property.

Chair Wampler stated that the Planning Commission has received a lot of public input regarding this application, however, public comment typically is not permitted in work sessions. She advised those interested in the application that it will move forward to a future business meeting and invited Principal Planner Ewert to provide an explanation of the manner in which a future public hearing regarding the item will be publicly advertised. Mr. Mabey added he is open to discussing his application with any other resident of the Ogden Valley.

Dear Janet

As full-time residents of the Nordic Valley community (2834 Nordic Valley Road), we wish to express our vehement opposition to the re-zoning request for Asgard Heights Subdivision that has been made by Dan Mabey of Liberty Land and Livestock LLC.

Please consider our reasons for this opposition at the upcoming OVPC meeting on 22nd July 2025.

- 1) This represents a further increase in the housing density of this neighborhood, that's already planned in the Nordic Valley Form Base Village Zone. It is difficult to imagine that there will be no impact to traffic density, traffic noise and air pollution on the Nordic Valley community.*
- 2) We have worked hard to ensure that water conservation is maintained in this community. How would this be managed with this proposed addition of condos in this neighborhood?*
- 3) The approval of this re-zoning request will create a precedence which is likely to be followed by others who will use 'housing shortages' as a reason for additional development in our neighborhood.*
- 4) The reputation of Mr Mabey is in question, which raises concerns about how the work will be carried out and the impact of delinquent behavior on our neighborhood, (we were informed of previous events in which Mr Mabey failed to obey 'no burn' Fire Department rules, causing a brush fire in the vicinity of Asgard Heights; he failed to install silt fences when installing a road to access these lots and he removed property corner pins when the original survey was being done).*

We plan to attend the OVPC meeting in Ogden on 22nd July and hope that our opposition will be heard.

Best wishes

Jane and Christopher Vosburgh

Commissioner Wampler and Mr. Ewert,

I am writing to ask that you table or deny the Maybe application to rezone of 4 plus acres to the Form Based Zone off Nordic Valley Road for the following reasons:

1. There does not appear to be any property right for the applicant. It seems the lots were zoned FV-3 when purchased and the owner has the right to build a residence in "a forest setting at low density to protect the naturalist environment of the development." However, the surrounding residents may have a property right because they bought into an area plotted and zoned FV-3 "in a forest setting at low density to protect the naturalist environment of the development"

2. The application states the lots are contiguous with the FB zone. I do not agree. There is a road that separates the FB zone from applicants' lots. The only properties that are contiguous to the applicant's lots are the six lots in the FV-3 zone. If approved, you would have six lots with single family homes surrounding the four acres that approval would give the ability to have up to 22 townhouses. Again this would put high density in the middle of a neighborhood. Also there are four, acre lots from Nordic Valley Way down Nordic Valley Road to the lots applying to be rezoned.

When the Form Based Zone was presented, it was said the intent is to move from high density out to large lot residential. The lots on all sides of this proposed rezone are FB-3, currently in a subdivision with one acre lots. So moving down Nordic Valley Road, it would be four one acre residential lots then move down to the applicant that want higher density lots back to one acre residential lots.

3. If rezoned to FB zone the lots would be eligible to be short term rentals and accept TDR's.

4. This decision should be tabled until the new city council can make the decisions on land use in January. We voted for that right.

Please do not allow the high density into the neighborhood surrounding the resort development and table this application to rezone FB-3 to a FB zone until the new city council can take up this application.

I appreciate your consideration of our concerns,
Peggy Dooling-Baker

Hi Janet,

I am writing to ask you to not support an application to rezone property near the Nordic Valley Resort base from F3 to the FB zone. This will come before your commission Tuesday, July 22.

The reasons :

- The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.
- FV3s already support ADUs.

Allows accessory dwelling units in compliance with Chapter 108-19.

- FB Zones areas are not meant to sprawl and Nordic Village Venture will already fracture our single family residential area with over 800 units.
- Taking down more trees to put in 22 townhomes, increase traffic, increase pollution and congestion is not the long time vision of OV residents.

- Both lots have a stream corridor easement which will at the least need to be protected.
- Walking - Residents routinely walk the paved roads in Nordic. Many bike this as well. The rezone will not make the area any more walkable or bikable in fact some are concerned it will do the opposite.
- Walking and biking have already been made more difficult as a result of the pre-construction of NVV with closing of major streets, large trucks on the windy street detours and dust for the past few weeks. Residents even complained to the Planning Department because of construction on Sundays and dust plumes.

I do not support this rezone application. Furthermore, such decisions should be made by our new City. Endless rezoning despite the concerns and objections of the affected residents was one of the main drivers of incorporation! Why have zoning if it can consistently be changed at the whim of a developer? Current residents of Nordic pay the price daily with construction noise and traffic, dust, road closures due to current preparations for Nordic Valley Village.

I do not have the emails for other OVPC members. Please distribute.

Thank you for your thoughtful consideration. I will be out of town on vacation 7/22 so will not be able to communicate this in person.

Beth Keswick

Commissioner Wampler and Mr. Ewert,

I am writing to ask that you table or deny the Maybe application to rezone of 4 plus acres to the Form Based Zone off Nordic Valley Road for the following reasons:

1. There does not appear to be any property right for the applicant. It seems the lots were zoned FV-3 when purchased and the owner has the right to build a residence in "a forest setting at low density to protect the naturalist environment of the development."

However, the surrounding residents may have a property right because they bought into an area plotted and zoned FV-3 "in a forest setting at low density to protect the naturalist environment of the development"

2. The application states the lots are contiguous with the FB zone. I do not agree. There is a road that separates the FB zone from applicants' lots. The only properties that are contiguous to the applicant's lots are the six lots in the FV-3 zone. If approved, you would have six lots with single family homes surrounding the four acres that approval would give the ability to have up to 22 townhouses. Again this would put high density in the middle of a neighborhood. Also there are four, acre lots from Nordic Valley Way down Nordic Valley Road to the lots applying to be rezoned.

When the Form Based Zone was presented, it was said the intent is to move from high density out to large lot residential. The lots on all sides of this proposed rezone are FB-3, currently in a subdivision with one acre lots. So moving down Nordic Valley Road, it would be four one acre residential lots then move down to the applicant that want higher density lots back to one acre residential lots.

3. If rezoned to FB zone the lots would be eligible to be short term rentals and accept TDr's.

4. This decision should be tabled until the new city council can make the decisions on land use in January. We voted for that right.

Please do not allow the high density into the neighborhood surrounding the resort development and table this application to rezone FB-3 to a FB zone until the new city council can take up this application.

*I appreciate your consideration of our concerns,
Peggy Dooling-Baker*

Dear Charlie

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Please consider our reasons for this opposition at the upcoming OVPC meeting on 22nd July 2025.

- 1) This represents a further increase in the housing density of this neighborhood, that's already planned in the Nordic Valley Form Base Village Zone. It is difficult to imagine that there will be no impact to traffic density, traffic noise and air pollution on the Nordic Valley community.*
- 2) We have worked hard to ensure that water conservation is maintained in this community. How would this be managed with this proposed addition of condos in this neighborhood?*
- 3) The approval of this re-zoning request will create a precedence which is likely to be followed by others who will use 'housing shortages' as a reason for additional development in our neighborhood.*
- 4) The reputation of Mr Mabey is in question, which raises concerns about how the work will be carried out and the impact of delinquent behavior on our neighborhood, (we were informed of previous events in which Mr Mabey failed to obey 'no burn' Fire Department rules, causing a brush fire in the vicinity of Asgard Heights; he failed to install silt fences when installing a road to access these lots and he removed property corner pins when the original survey was being done).*

We plan to attend the OVPC meeting in Ogden on 22nd July and hope that our opposition will be heard.

Best wishes

Jane and Christopher Vosburgh

Hi again,

Your previous response regarding Work sessions was very helpful. Thank you.

I have also received the below from concerned citizens ... "The Asgard Subdivision is an approved and established subdivision of 6 lots approved by the county prior to July 2021. 2 lots now have homes already completed and 2 lots have homes very near completion. The remaining 2 lots are those trying to be rezoned to FB.

Seems to me it should be illegal to try to rezone the two remaining lots already established in an existing subdivision to a new high-density subdivision of completely different type. I believe it should be (if not already) illegal to create a new subdivision within an existing subdivision after the fact. This request should be fully and unconditionally denied.

And also I want to point out Nordic Mtn water has made no commitment nor guarantee to this developer for water beyond the 2 hookups.

Again - thank you for bringing this to the attention of the OVPC members. -Beth

*Public Comment to Weber County Planning Department and Ogden Valley Planning Commission**Date: July 20, 2025**Re: Legal Duty to Evaluate Water and Sewer Capacity Prior to Development Approvals*

I speak today not only as a concerned Ogden Valley resident, but as someone who believes firmly in the rule of law — including the County's legal responsibilities under state and local codes.

As you know, more than 60% of voters in Ogden Valley supported incorporation, largely because of concerns over unchecked development and its impacts on water, sewer, and critical infrastructure. Two professional studies on the Valley's water and sewer capacity — conducted in 2019 and 2022 — both concluded that a development moratorium was necessary due to infrastructure limitations.

Yet development approvals continue. I respectfully urge you to consider the following legal requirements:

1. Utah Code § 17-27a-703

"A county may not approve a subdivision plat unless the applicant has provided evidence that the land within the subdivision is served by:

- (a) a sufficient and reliable water supply;*
- (b) a system for wastewater disposal; and*
- (c) other required services."*

You are not only permitted to consider infrastructure sufficiency — you are legally required to.

2. Utah Code § 17-27a-508

This statute, which addresses vested development rights, clearly reaffirms that all approvals must comply with current legal standards. You are not obligated to approve development if infrastructure is lacking. This point is particularly relevant given that two independent studies recommended a moratorium.

3. Weber County Code

Your own ordinances require that development approvals ensure:

- Compliance with the General Plan*
- Adequacy of public facilities*
- Protection of public health and safety*

Approving additional development without sufficient water and sewer capacity would violate both the spirit and letter of these requirements.

4. Case Law: Anderson v. Provo City (Utah Supreme Court)

The Utah Supreme Court affirmed that local governments must balance infrastructure, environmental constraints, and public interest when making land use decisions. The Planning Department and Commissioners cannot delegate this duty to outside entities like Weber Basin Water. A "will-serve" letter is evidence, not approval.

Questions for the Commission and Planning Department:

Why is the County approving developments now, when two publicly funded studies — conducted three years apart — recommended a moratorium due to inadequate water and sewer infrastructure?

What new evidence or engineering reports contradict those studies and justify the continuation of development approvals?

What is the rationale for accelerating land use approvals before incorporation, rather than allowing the incoming municipality to adopt its own growth plan in 2026?

How does this fast-tracked development serve the interests of current residents — your constituents — over the interests of developers?

Has the County evaluated its legal exposure for approving development during this transition period, especially under potential claims of acting in bad faith or ignoring procedural safeguards?

Can the Commissioners and Planning Department confirm that all recent and pending approvals comply with Utah Code § 17-27a-703, especially in regard to water and sewer sufficiency?

Final Question:

Given the clear guidance under state law and County ordinance — and considering the two major studies regarding water and sewer — what is the legal and ethical basis for continuing to approve development when public infrastructure, environmental capacity, and public trust are at risk?

I urge the County to take its legal and ethical obligations seriously. Please pause further development approvals in Ogden Valley until the Ogden Valley acquires its incorporation, and infrastructure constraints already documented are responsibly addressed.

Respectfully submitted,

*James A. Bird
Huntsville, Utah
jabird47@gmail.com*

Another comment below and attached. You will want to read the attached before you review my response below.

I took a moment to respond to this one as I suspect it will come up in the meeting and want each of you to be prepared for the answer(s). I also especially want our new planning commissioner's to see an example in which public comment - even when sources are cited - can be based on inaccurate information. Land use regulations are complicated and most layfolk have challenges grasping how it all fits together. That's no disrespect to Jim or anyone else who comments, as the feelings leading to such assertions are valid and should be considered carefully. Just use caution when sorting through facts from feelings.

From: Ewert, Charles

Hi Jim - good to hear from you. I will forward this to the planning commission as requested. I cannot speak for them, but below are a few comments from me for you to consider. My comments in red. All good questions worth exploring so forgive my lack of brevity - just want to be sure to answer thoroughly.

Questions for the Commission and Planning Department:

1. *Why is the County approving developments now, when two publicly funded studies — conducted three years apart — recommended a moratorium due to inadequate water and sewer infrastructure?*
1. *Would you mind citing the report and page number where you have read this? I want to check whether we are reading the same studies. The county commissioned and conducted two studies. One published in 2019 explored the valley's water budget. The other, published in 2023, studied the need and constraints of a potential valley-wide community water system. Neither concluded insufficient water, but somehow and for some reason the opposite has been spread around the community. As you know - lack of water has long been cited as an excuse to deny development in the Ogden Valley. I have learned over the years, and these two studies confirm it, that this assertion is based more on a hope rather than a fact.*
1. *The Ogden Valley basin is the entire source for the Ogden River to Pineview. The 2019 report indicates that the average annual discharged from the Pineview Reservoir is approximately 150,000 acre feet. That alone is a lot of water. By way of comparison, Ogden City's 33,000 households uses about 24,000 acre feet per year. About 50% of that water (11,300 acre feet annually) comes from the Ogden Valley aquifer. Weber Basin Water Conservancy District completely controls the amount of water discharging from Pineview. If more water is needed in the valley, WBWCD will simply release less from the dam - thereby keeping more for use in the valley. They can do this because they can use Weber River Water to compensate for the loss downstream. I am pulling the water-use data from page 80 of that 2019 water study, which you can find here: [https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20Hydrogeology%20Study%20\(Reduced\).pdf](https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20Hydrogeology%20Study%20(Reduced).pdf). The 2019 report flagged water quality, not water quantity, as an emerging concern for which action should be taken. They recommend more sewer and less septic systems.*
1. *Just running the numbers, if Ogden City's 33,000 households use about 24,000 acre feet of water per year, it stands to reason that the current 3,135 households in the Ogden Valley only use about 2,280*

acre feet per year. At full buildout, assuming the valley continues to grow as it has, the 15,000 households will use about 11,000 acre feet per year. In other words, as the valley approaches buildout, WBWCD will need to reduce the amount leaving the dam to about 139,000 acre feet per year to ensure there is enough for the OV.

1. *Likewise, the 2023 study by Bowen and Collins (<https://www.webercountyutah.gov/planning/documents/2023-march-ogden-valley-supply-Infrastructure-plan-final.pdf>) suggests that there is enough water for the valley at full buildout but emphasized that getting access to it will be the challenge. This is because finding room in the aquifer for a large community well is going to be challenging without affecting the large production of the Ogden City wells. They conclude that the best path forward for providing a valley-wide community water system is by means of treating Pineview surface water. Which fits perfectly into WBWCD plans to release less from the dam when the demand warrants it. That said - they also concluded that a valley-wide water system will cost about \$80M. Not a cheap option but probably the best option because absent this, ongoing water development can take shape in whatever manner a developer (and the state engineer) sees fit.*
1. *When you put all of that together, I am sure you will find that it's probably more responsible to plan as if developers will be motivated to find a marketable way to access water rather than relying on an unsubstantiated hope that there is not enough to support them*
- 1.
2. *What new evidence or engineering reports contradict those studies and justify the continuation of development approvals? - As detailed above, the thing that contradicts those studies is the rumor that those studies contradict potential new development.*
3. *What is the rationale for accelerating land use approvals before incorporation, rather than allowing the incoming municipality to adopt its own growth plan in 2026? - The question of "approvals" is not for me to answer except to say that assuming at this time that any item is going to be approved is premature. I can tell you, however, that UCA 17-27a-508 says that once a complete application has been submitted, the applicant is entitled to an answer. Therefore, the county can choose to either process the application or violate due process rights. The attorney's don't let us do the latter.*
4. *How does this fast-tracked development serve the interests of current residents — your constituents — over the interests of developers? - I am not sure which development you are referencing, but nothing on tomorrow's agenda has been fast tracked. The typical process has been/is being applied.*
5. *Has the County evaluated its legal exposure for approving development during this transition period, especially under potential claims of acting in bad faith or ignoring procedural safeguards? - The attorney's office can give a formal legal response to this. I can only offer assumptions. From my perspective, I would assume it is a more compelling argument to err towards one's constitutionally protected due process rights over unproven legal arguments.*
6. *Can the Commissioners and Planning Department confirm that all recent and pending approvals comply with Utah Code § 17-27a-703, especially in regard to water and sewer sufficiency? 17-27a-703 governs appeals. Not sure how it is relevant to any of tomorrow's items. Are you referencing an old code? A couple of your references appear to be outdated or not go to relevant subjects. I suspect you are referencing an old version of what can be found in 17-27a-603. That section has been completely re-written over the years and I am not sure it says what you think it says anymore. Regardless, it does not apply to any item on tomorrow's agenda, as none of the items on tomorrow's agenda are about administrative subdivision plat approval.*

Final Question:

Given the clear guidance under state law and County ordinance — and considering the two major studies regarding water and sewer — what is the legal and ethical basis for continuing to approve development when public infrastructure, environmental capacity, and public trust are at risk? I am not sure I should have an opinion on this as I cannot see it as a question of ethics but more a question of law and policy. The legal considerations should come from the attorney's office and the policy considerations should come from the commissioners.

Hi Charlie,

Frustratingly, I am unable to attend the OVPC on July 22, 2025, and the County has stopped doing Zoom or using any other video conferencing platform. I assume you have heard that Ogden Valley residents view this as a way to keep participation low.

I have attached a letter for the Public Comment for Items not on the Agenda. However, as you will read, this is about almost all of the items on the agenda.

Please forward my letter to the OVPC, as their emails are not disclosed.

I look forward to the answers to my questions.

Thank you,

Jim Bird

WS5: SPE 2025-01: Request for sketch plan endorsement for a future cluster subdivision consisting of 5 lots on 22 acres in the AV-3 Zone. Located at 1310 N 7275 E Huntsville, UT, 84317.

Rick Bailey oriented the Commission to the location of his property and the existing layout of the property, which includes his personal residence. The total property size is 22 acres, and four of the acres are considered 'sensitive lands'; with the remaining 18 acres, he has room to put four other lots on the property, and he is requesting a cluster subdivision with a private road to serve the lots. He presented a conceptual layout and identified the location of the lots and the open space. He has worked with the health department to secure approval for the septic system and he is still exploring access to water through Weber Basin Water Conservancy District. He highlighted connectivity opportunities and the fact that his proposal will be harmonious with other developments in the area. He complimented Planner Aydelotte for being fantastic to work with on his application. Ms. Aydelotte briefly discussed Planning and Engineering's evaluation of the application to this point; she engaged in discussion with the Commission about the regulations of the County's cluster subdivision ordinance and the steps that would be taken to ensure that the open space is preserved in perpetuity. The Commission concluded they are comfortable with the application moving forward to a business meeting.

The meeting adjourned at 9:10 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for August 26, 2025. Pre-meeting – 4:30 p.m./ Regular Meeting commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Bryce Froerer, Heidi H. Gross, and Laura Warburton.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call indicated Commissioners Burton and Morgan were excused from the meeting; all other Commissioners were present.

Chair Wampler called for Commissioners to declare any conflicts of interest or ex-parte communications. No declarations were made.

1. Minutes: June 24, 2025.

Chair Wampler introduced the minutes of June 24, 2025 and asked if any member of the Commission had any suggested edits. Hearing no feedback from the Commission, she introduced her own edits to the minutes to strike a statement/question she is cited as having made during the meeting. She noted she will provide her edits in writing to Planning staff. She then declared the minutes approved as amended.

Chair Wampler then noted that for the Administrative items on tonight's agenda, she will accept public comments, but she advised the public that their input cannot be considered by the Commission when they are making a decision regarding an application.

Chair Wampler asked the Commissioners if they had any conflicts of interest or ex parte communications to declare. Commissioner Warburton stated that one of her neighbors is the applicant for one of the administrative items on the agenda; she has communicated with that individual regarding their application, but she does not feel it meets the definition of ex parte communication nor is there a conflict of interest.

2. Administrative items:

2.1 SPE2025-01: Discussion and action on a conceptual sketch plan endorsement request for the Rockin B Ranches Cluster Subdivision, consisting of 5 lots and 14.856 acres of open space. Staff Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte explained the applicant has submitted a conceptual sketch plan for a 5 lot Cluster Subdivision for review and endorsement by the Planning Commission as required in the Uniform Land Use Code of Weber County (LUC). The subject property is zoned AV-3 and will combine 2 parcels to create the proposed Giovanni's Legacy Cluster Subdivision. In total, the area of the project will amount to approximately 22 acres. The applicant is not seeking any additional density and proposes to preserve 63% of total area to open space.

Chair Wampler invited input from the applicant.

Rick Bailey stated he is requesting a small cluster subdivision on his 22-acre parcel of land; he bought his home in an existing subdivision, and it is located on a five-acre lot. He was able to purchase an additional 17 acres of property adjacent to his home and seeks to build something like a 'family compound' where his children could build in the future if they choose to do so. He would like to develop four additional building lots that will be one-acre in size each and set aside 10.43 acres of common ground. He has also allowed 4.4 acres of sensitive land. The lots would be accessed by a private road that will meet or exceed Weber County's street requirements. He has made application to the Weber Health Department for approval of his sewer plans and has secured culinary water service from Weber Basin Water. Additionally, a shared well will be drilled on the site. The property is also served by pressurized secondary water from Mountain Canal Company. He expressed his gratitude to Ms. Aydelotte for her assistance through this process.

Chair Wampler invited public input; there were no persons appearing to be heard.

Vice Chair Barber moved to approve SPE2025-01, a conceptual sketch plan endorsement request for the Rockin B Ranches Cluster Subdivision, consisting of 5 lots and 14.856 acres of open space. Commissioner Warburton seconded the motion. Commissioners Froerer, Gross, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 5-0). Commissioners Burton and Morgan were not present when this vote was taken.

2.2 UVV072325: A request from Summit Mountain Holding Group (Powder Mountain) for preliminary subdivision approval of the Village Nest East 2025 Subdivision, a 20-lot subdivision located in the DRR-1 zone at approximately 5780 N Daybreak Ridge, Eden, UT, 84310. Staff Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte summarized background information for the subject property and noted the purpose of this subdivision amendment is to realign lot boundaries and dedicate an additional private roadway in an effort to improve traffic circulation in this neighborhood. As of the date of this staff report, 229 lots have been recorded within the Powder Mountain Development, under the executed development agreement, recorded January 14, 2025. The memo summarized staff's review of the application to determine compliance with the following:

- General Plan;
- Zoning guidelines;
- Lot area, frontage/width and yard regulations;
- Natural hazards overlay zoning regulations;
- Culinary water and sanitary sewer disposal regulations; and
- Review agency recommendations.

Staff recommends preliminary approval of the Village Nests East 2025 Subdivision. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.
2. Construction drawings, approved by County Engineering, shall be submitted prior to submitting an application for final approval.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Chair Wampler invited input from the applicant.

Eric Anderson, Senior Project Manager for Powder Mountain, thanked staff for their time and thanked the Planning Commission for their consideration of this application. He presented a map illustrating the layout of the Village Nest 2025 subdivision, as well as previously developed phases of development in close proximity to the subject property. He identified the main access points to the property and noted the map provides an overlay of the current proposal with the original subdivision plat that was recorded in August of 2017. The plat has been amended to include 17 additional acres, but it still contains the original 20 single-family residential lots. The reason for the plat amendment was to increase the area set aside for snow storage and to provide more space between driveways and garages. He also identified updated civil engineering documentation of the preliminary plat.

Discussion between the Commission and Mr. Anderson centered on the topography of the area and plans to adjust the road configuration to improve access to each individual lot, the common parking areas, and the snow storage areas.

Chair Wampler invited public input.

Christopher Vossburg stated he lives in Nordic Valley; he thought the brim trail was closed to members only this year and he asked if that is true and if it is temporary based upon construction.

Brooke Hunt, Powder Mountain, stated that the brim trail was open last summer because the area was not under construction to the extent that it was this season; this summer, the brim trail was closed because of the Shelter Hill development. It was even closed to members and perhaps Powder Mountain needs to improve their communication regarding these issues. She cited the trails that were and still are open this season and indicated the intent is to expand the trail system, including bringing back the brim trail in the future. Another trail is being developed on the Cache County side of the mountain and connectivity of that system with the Weber County system will be pursued.

There were no additional persons appearing to be heard.

Vice Chair Barber moved to approve application UVV072325, a request from Summit Mountain Holding Group (Powder Mountain) for preliminary subdivision approval of the Village Nest East 2025 Subdivision, a 20-lot subdivision located in the DRR-1 zone at approximately 5780 N Daybreak Ridge, Eden UT, 84310, based on the findings and subject to the conditions listed in the staff report. Commissioner Froerer seconded the motion. Commissioners Froerer, Gross, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 5-0). Commissioners Burton and Morgan were not present when this vote was taken.

2.3 UVN062425: A request from Nordic Village Venture for preliminary subdivision approval of Nordic Village Phase 1B Subdivision, a 23-lot subdivision located in the Form-Based (FB) Zone at approximately 3567 Nordic Village Way, Eden, UT, 84310. Staff Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte explained this application was accepted for review on June 24, 2025. This 23-lot subdivision includes a 50' wide private right-of-way, ski easements, utility easements, and a road stub to the subdivision boundary to the north. (Harmony Ranch Subdivision). There is also an access and utility easement stubbed to the western boundary of this development. All concerns with Weber Fire District and Weber County Engineering shall be addressed prior to applying for final approval. The memo summarized staff's review of the application to determine compliance with the following:

- General Plan;
- Zoning guidelines;
- Culinary water, sanitary sewer, and secondary water regulations;
- Sensitive lands guidelines; and
- Review agency recommendations.

Staff recommends preliminary approval of Nordic Village Phase 1B Subdivision, consisting of 23 lots, located at approximately 3567 Nordic Valley Way, in the Form-Based (FB) Zone. This recommendation for approval is subject to all applicable review agency requirements, and is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with all previous approvals and the applicable County ordinances.

Chair Wampler invited input from the applicant.

Ryan Christopherson stated he is representing Nordic Village Venture; he presented exhibits illustrating the planned 23-lot subdivision. He oriented the Commission to the private right-of-way, ski easements, and open space. He stated he feels the application is fairly straight forward and asked for Commission approval.

Planner Aydelotte suggested an appropriate condition of approval for this application would be that approval of the preliminary subdivision is conditioned upon approval of the street regulating plan application, which is listed as item 3.2 on tonight's agenda.

Chair Wampler invited public input.

Christopher Vossburg, Nordic Valley, asked if it is normal to build a road before proposing this type of development. He noted that a road has already been built on the subject property.

Peggy Dillonbaker, Nordic Valley, stated she has emailed her concerns about notification of the application for the street regulating amendment; she is concerned about zoning of the area as her last memory was that one piece of the property was zoned FV-3 and she does not recall it ever being rezoned. She wondered if it is appropriate to consider a transferrable development rights (TDR) action if the property has not been rezoned.

There were no additional persons appearing to be heard and Chair Wampler invited staff to respond to the questions asked by the public.

Planner Aydelotte first addressed Mr. Vossburg's question; it is not uncommon for roadway construction to begin before subdivisions are approved as property owners are not required to obtain a permit before digging a road. However, the developer is expected to submit a storm water pollution prevention plan (SWPPP) and work with County Engineering on things like dust mitigation. She then noted she spoke with a resident who had the same concern as Ms. Dillonbaker earlier today; in 2023 the subject property was rezoned to the form-based zone as a legislative action. The ordinance that was recorded due to that action includes a legal description and exhibits. She presented the exhibit that was recorded as part of the zone change and it identifies parcels 1-2 and 5-15 as being part of the form-based zone change.

Vice Chair Barber moved to approve application UVN062425: A request from Nordic Village Venture for preliminary subdivision approval of Nordic Village Phase 1B Subdivision, a 23-lot subdivision located in the Form-Based (FB) Zone at approximately 3567 Nordic Village Way, Eden, UT, 84310, based on the findings and subject to the conditions listed in the staff report, and the additional condition that approval of application UVN062425 is contingent upon the approval of application ZDA2025-09, Nordic Valley Area Street Regulations Plan amendment. Commissioner Gross seconded the motion. Commissioners Froerer, Gross, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 5-0). Commissioners Burton and Morgan were not present when this vote was taken.

3. Legislative items:

Chair Wampler invited Planning Director Grover to discuss the Planning Commission's authority for legislative applications. Mr. Grover stated when the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

3.1 ZDA2025-04: A request from Kirk Langford for a public hearing, discussion, and possible recommendation regarding a development agreement to preserve development rights, and to allow for phased/an exemption of installation of certain infrastructure for a future three-lot subdivision, located at 6210 E 2300 N, Eden, UT, 84310 in the AV-3 Zone. Staff Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte explained the purpose of this request is to allow for subdivision approval and recordation without the typical required connectivity standards, timelines for installation or bonding of subdivision infrastructure, as well as to preserve current density rights (approximately 13) for future development opportunities, on 40 acres.

Chair Wampler invited the applicant to present the merits of his application.

Kirk Langford stated his wife is providing documentation that was not included in the packet for tonight's meeting, but which will help the Planning Commission to better understand his request. He thanked all members of County staff who have assisted him on finalizing the proposed development agreement and helping him to understand the County ordinances that apply to his land. His proposal is to build a two to three lot subdivision on his 9.23-acre parcel, which is zoned AV-3. This land is part of his 40-acre working farm. He is asking to preserve the remaining development rights on the contiguous 31-acre parcel where his home of 30-plus years is located. To be sure this project is acceptable to all stakeholders, he plans to memorialize his commitments in a development agreement. He noted the development conforms with the Ogden Valley General Plan and the regulations of the AV-3 zoning ordinance and he expounded on some of the regulations of that ordinance. He also provided a high-level overview of his development plan, road widths and public safety access to areas of the property, phasing of the development, wastewater treatment, terms of the development agreement, donation of an easement for a future right-of-way for ingress/egress to other properties, and preservation of the drainage channels.

Commissioner Warburton moved to open the public hearing. Vice Chair Barber seconded the motion; all voted in favor.

There were no persons appearing to be heard.

Commissioner Froerer moved to close the public hearing. Commissioner Warburton seconded the motion; all voted in favor.

Commissioner Warburton moved to forward a positive recommendation to the County Commission regarding application ZDA2025-04, a request from Kirk Langford for a public hearing, discussion, and possible recommendation regarding a development agreement to preserve development rights, and to allow for phased/an exemption of installation of certain infrastructure for a future three-lot subdivision, located at 6210 E 2300 N, Eden, UT, 84310 in the AV-3 Zone, based on the findings and subject to the staff recommended considerations listed in the staff report.

Commissioner Warburton stated she would like to speak to her motion; she is recommending approval because she knows of no one who is more dedicated to the Ogden Valley; he loves his land, and she is privileged to recommend approval of the application.

Commissioner Froerer seconded the motion. Commissioners Froerer, Gross, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 5-0). Commissioners Burton and Morgan were not present when this vote was taken.

3.2 ZDA2025-09: A request from Nordic Village Venture to approve a modification to the exhibit for their Street Regulating Plan. This is a request to amend the Nordic Valley Area Street Regulating Plan exhibit in the development agreement only. This change, if approved, would only apply to the Nordic development. Staff Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte summarized the background information for the subject property; presently, in an effort to shift project density further west, Nordic Village Venture is requesting approval to amend Exhibit B, specifically the Nordic Valley Area Street Regulating Plan shown on pages 66 and 126 of the Amendment to the Zoning Development Agreement recorded 10/13/2023 (see entry # 3301522) and is seeking to include road cross sections. Where the proposed changes are fully within the Nordic Development Area, and the applicant is not proposing to change the street type, the Planning Commission may recommend approval to the County Commission. The proposed changes can be found in Exhibit B of this report. These changes include removal of a northern loop roadway, as well as including three east/west connections to allow for improved internal traffic circulation on the eastern side of the development area, while also including a medium lot residential street along the northern boundary of this development.

Chair Wampler invited input from the applicant.

Brian Christopherson stated Nordic Village Venture is seeking to amend its street regulating plan to realign roads nearer to the Village core. He presented a map to orient the Commission to the existing alignment that has been approved in the street regulating plan, as well as the location that the road would be shifted to. Additionally, the width of North Valley Way would be adjusted from a 100-foot right of way to a 72.5 foot and 85 foot right of way at points where parallel parking is necessary.

Commissioners asked about certain features of the development, including combining two small ponds into one and points of water diversion on the site.

Vice Chair Barber moved to open the public hearing. Commissioner Gross seconded the motion; all voted in favor.

Jane Owens stated she lives in Nordic Valley; she noted the original street regulating plan included two roundabouts: one on Viking and another on Nordic Valley Road. She stated she does not see round-about on Nordic Valley Road in the new plan and she asked if that is correct.

Peggy Dillonbaker stated she is confused about the roads that would be impacted by approval of this application; she asked if it is the southernmost road. She asked the reasoning for moving the road towards Nordic Valley Way. She also asked if there will be no homes behind the ponds as was briefly discussed during tonight's pre-meeting.

Christopher Vossburg asked if the old Nordic Valley Way is being eliminated; he also stated he has not seen any building lot layouts for the property. He also asked how big the new pond will be, in acres.

There were no additional persons appearing to be heard.

Commissioner Froerer moved to close the public hearing. Commissioner Warburton seconded the motion; all voted in favor.

Chair Wampler asked the applicant to address the questions asked during the public hearing. Mr. Christopherson stated that both roundabouts are still included in the plan, one of them is shifted into the private development.

Planner Aydelotte addressed Ms. Dillonbaker's questions about the roads that are impacted by the application. In March of 2025 the County Commission held a public hearing to consider vacating a section of Nordic Valley Way that fronts the Nordic Valley property; an ordinance was approved and recorded, but it stated the vacation was not in effect until the new section of Nordic Valley Way is installed, inspected, and approved by the County. That is under way right now. The reason that the relocation did not go through a legislative process is that the form-based zone allows for shifting of roadways within the street regulating plan of 200 feet without an official amendment to the street regulating plan. She noted the road will be shifted 167 feet to the east. She highlighted the approved location of Nordic Valley Way and indicated it is currently being installed. She then stated that removing the roadway could have some impacts on development options for the space behind the pond; it could potentially be developed, but it is her understanding that the applicant's idea was to shift density from that area close to the round-a-bout at Nordic Valley Way and Viking. Chair Wampler asked if the applicant would need to seek another street regulating plan amendment to build a road to any homes built behind the pond. Planning Director Grover stated approval of a public road would require an action of the County, but a private road could be built without action of the County. Mr. Christopherson stated there are no plans to build homes behind the pond. The Commission discussed making the commitment to not build homes behind the pond a condition of approval. Chair Wampler asked how big the pond is, to which Mr. Christopherson answered 20-acre feet.

Vice Chair Barber moved to approve application ZDA2025-09, a request from Nordic Village Venture to approve a modification to the exhibit for their Street Regulating Plan. This is a request to amend the Nordic Valley Area Street Regulating Plan exhibit in the development agreement only. This change, if approved, would only apply to the Nordic development, based on the findings and subject to the conditions listed in the staff report, and the additional condition that homes will not be built behind the pond as stated by the applicant. Commissioner Froerer seconded the motion. Commissioners Froerer, Gross, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 5-0). Commissioners Burton and Morgan were not present when this vote was taken.

4. Public Comment for Items not on the Agenda:

Christopher Vossburg, Nordic Valley, stated there are many homes building built in the Nordic Valley area; he and his neighbors that live near the smaller traffic circle are concerned about the increase of traffic they will experience, and they would like to apply for the installation of a small gate that would be installed to keep traffic out of their neighborhood. They are not trying to keep their neighborhood private, but they would like it to remain quiet. Public safety access could still be preserved.

Jan Fullmer, 3741 Redhawk Circle in Eden, directed a question to Planning Director Grover; she noted there is an upcoming Board of Adjustment meeting, and she has sent notice of the meeting to half of Ogden Valley. She has been told the meeting may be rescheduled and she asked if that is true because she would like to notify the people she has already reached out to. The purpose of the Board of Adjustment meeting was to review a decision made by the Planning Commission.

Mr. Grover stated the meeting has been cancelled and not yet rescheduled; the date of the meeting is yet to be determined.

5. Remarks from Planning Commissioners:

Commissioner Froerer thanked Ms. Aydelotte for the time she spent preparing the packet and supporting documentation for tonight's meeting. Chair Wampler and Commissioner Warburton echoed Commissioner Froerer's sentiment.

Chair Wampler then stated that in June, the Commission was informed by Principal Planner Ewert of a new State mandate for every General Plan to include a water conservation element and that the Planning staff had been working on such an element for Western Weber County. It was uncertain whether the staff would be working on one for Ogden Valley as well and she had asked for a clear answer from Planning staff. Compliance with the mandate is required by the end of 2025 and she was concerned about

whether the new city in Ogden Valley would be penalized if such an element is not in place. Planning Director Grover stated that matter is still being discussed, and no decision has been made.

Vice Chair Barber stated that he likes the old format of meetings better; he prefers hearing from staff before the applicant as staff can speak to the various plans and ordinances that are used to regulate an application. Commissioner Froerer agreed. Commissioner Warburton stated that if the Commission reads the packet, they should be familiar with the 'nuts and bolts' of each application and a staff presentation would be repetitive. She understands a staff presentation may be helpful to the audience, but tonight's audience seemed comfortable with the format.

6. Planning Director Report:

There was no report from the Planning Director.

7. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned to work session at 6:19 p.m.

Respectfully Submitted,

Weber County Planning Commission

Minutes of the Work Session of the Ogden Valley Planning Commission for August 5, 2025, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Jeff Burton, Heidi H. Gross, James (Jim) T. Morgan, and Laura Warburton.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call indicated Commissioner Froerer was excused from the meeting. All other Commissioners were present.

Chair Wampler expressed concern about the lack of a complete packet for the work session meeting this evening. Principal Planner Ewert indicated due to reduced staff and resources, Planning staff were unable to prepare a packet for this meeting; however, he has materials that can be presented to the body this evening. Commissioner Gross stated that it is important that the Commission have full and complete meeting packets before being asked to take action on any of the items listed on tonight's work session agenda. Chair Wampler agreed.

WS1: Discussion regarding File ZDA2024-02 - An application for a development agreement for the Gateway Estates subdivision located at approximately 10678 East Highway 39. Applicant: Matthew Lowe

Principal Planner Ewert reported the Planning Commission reviewed this proposal during their last work session meeting; he summarized the subdivision application and noted that the applicant has asked that their subdivision approval, if granted, be vested for 30 years. Chair Wampler inquired as to the typical length of vesting, to which Mr. Ewert answered 10 years, unless the subdivision is a master planned development. He acknowledged the vesting request is significant; the applicant is requesting a 30-phase development, with each lot in the development constituting a single phase. He identified the location of the subject property and presented a draft development agreement that has been provided by the applicant, which includes highlights of the requests of the developer, as well as the edits recommended by Planning staff. He specified there are 12 significant requests of the applicant included in the development agreement. This led to philosophical discussion among the Commission and staff centered on topics such as private versus public roads; creation of an homeowners association (HOA) for the project; the portion of the property that is buildable and the ultimate density of the property if the applicant's request is approved; actions that could potentially be taken by the County, future city, or the State of Utah that could impact the vesting term of 30 years; the potential for the County to lose continuity in development by granting a 30-year vesting period; legal issues in which the applicant has been involved in the past and whether those issues should influence the Commission's consideration and action on the application; and the party responsible for legal fees in the event of litigation associated with the project.

The Commission expressed concerns about several of the requests included in the draft development agreement; several of the Commissioners stated if the applicant were to demand an action on the application at the next meeting, they would vote to deny it. However, they are willing to meet with the applicant in a work session setting to discuss his requests and negotiate terms of an agreement that they may be comfortable with.

WS2: Discussion regarding File ZDA2024-06 - An application for a development agreement to memorialize transferable development rights on a parcel at the end of Stringtown Road. Applicant: Ogden City. Applicant Agent: Brady Herd

Brady Herd stated Ogden City is proposing an agreement to memorialize transferable development rights (TDRs); he discussed the history of the City's water rights, wells, and the Pineview Reservoir in the Ogden Valley and reported that in 2017 the City purchased 24 acres of property on the north end of their well field to serve as some protection of the wells from development activities. There are development rights and water rights associated with the property and at the time it was purchased, it was zoned CVR-1. The valuation and purchase price of the property reflected those development rights. The City still wants to protect the water source but would also like to vest the development rights. He noted it is the City's understanding that the development rights include two units that are 7,500 square feet each, and another 519 units that are approximately 2,000 square feet each; this equates to 521 transferrable development rights.

Vice Chair Barber asked how 24 acres could yield 521 development rights. Mr. Herd stated the calculation is based upon the City Attorney's understanding of zoning regulations and densities allowed in the CVR-1 zone. Principle Planner Ewert referred to a page of the draft development agreement that includes a use and density table. The Commission and staff discussed the manner in which development rights are calculated and whether the subject property could actually be developed with 521 units; Vice Chair Barber stated he feels the City has recognized that they made a bad business decision when purchasing the property and they are now trying to recoup some of those costs. He stated the County and the City both know that the City will never build a 521-unit development on the property and proposal is not in line with the spirit of the County's TDR process and policy. Moving the density suggested by the City to another area of the Valley will create a massive problem. Chair Wampler agreed and noted the Ogden Valley General Plan specifically discusses finding ways to retire development rights and this situation is a perfect example of a prime opportunity to do that. Vice Chair Barber agreed.

Commissioner Burton asked if the development rights suggested by Mr. Herd have been included in the County's accounting of potential development rights for the entire Valley, to which Mr. Ewert answered yes. Vice Chair Barber stated that does not matter to him; the City bought the land to protect their well field and that means that there was never any intent to develop the land. Mr. Herd stated the property was valued based upon the County's zoning of the land and the City's water rate payers paid for that value. The City is simply trying to vest its development rights. This led to philosophical discussion and debate among the Commission, County staff, and Mr. Herd regarding the merits of the proposal and the validity of the appraisal of the property at the time the City purchased it. The Commission sought the advice of Legal Counsel Erickson, specifically if the City would need to have a potential buyer of the property or the development rights in order for the unit calculation to be valid. They also discussed whether the development rights could only be transferred to specific areas of the Valley and not the Valley floor.

The Commission also heard from the owner of property adjacent to Ogden City's property, who expressed concerns about inconsistent application of rules for different property owners and the impact that Ogden City's purchase of the property has had on his development rights.

WS3: Discussion regarding File ZTA 2025-01 - An application to amend the street regulating plan for the Nordic Village Area. Applicant: Nordic Village Venture. Applicant Agent: Ryan Christofferson

Chair Wampler again reiterated that it is very difficult for the Commission to have an educated, meaningful discussion regarding this application without having been provided with any documentation of the request prior to tonight's work session meeting. Planning staff responded by explaining that they are short staffed and there has been some hesitation to hire new planners until after the incorporation of the new city is finalized because it is unclear whether the Planning Divisions services will be needed by the new city. Principle Planner Ewert indicated the Commission can delay any discussion and consideration of this application until a time when documented materials in support of the application are available; however, he suggested the Commission hear from the applicant and provide feedback to guide the material submission process.

Ryan Christofferson stated that he thought he had provided an application narrative as well as a rendering illustrating the proposed street regulating plan amendment with a comparison of the existing street regulating plan. He has followed the same outline that is included in the development agreement from 2016. He presented the existing street regulating plan and explained that he is proposing to shift a road to the west and connect it to a roundabout near the Village core. Planner Aydelotte helped Mr. Christofferson to identify the location of the road that is the subject of the application. The Commission discussed the potential impacts on other property owners if the proposed road configuration adjustment is approved. Mr. Ewert stated that Mr. Christofferson and staff need simple feedback about whether they are willing to consider the amendment; if so, there will be a more detailed discussion in a future work session with the applicant. The Commission expressed a willingness to have more discussion about the application during another work session meeting.

The meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Request for approval of a conditional use permit for three rapid infiltration basins for the Nordic Village wastewater treatment system. State approval is forthcoming.

Application Type: Administrative

File Number: CUP 2025-22

Applicant: Nathan Schellenberg-Authorized Representative

Agenda Date: Tuesday, October 28, 2025

Approximate Address: 4000 N 3500 E, Eden UT 84310

Project Area: Approximately 2.00 Acres

Zoning: AV-3

Existing Land Use: Vacant

Proposed Land Use: Of the approximate 28 Acres of continued vacant land, approximately 2.00 will be used for this proposed use

Parcel ID: 22-010-0071, 21-0010-0043, 22-359-0003, 22-359-0004

Township, Range, Section: Township 7 North, Range 1 East, Section 20

Adjacent Land Use

North:	Liberty Park	South:	Utah Power and Light Property
East:	Vacant/Ag	West:	3500 East Street

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794

Report Reviewer: FL

Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 2 (Agricultural Valley Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 10 (Public Utility Substations)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

Background and Summary

The applicant is requesting approval of a conditional use permit for the installation of three 80' x 170' rapid infiltration basins as part of the Nordic Village wastewater treatment system. The AV-3 Zone allows a "public utility substation" as a conditional use. The proposal has demonstrated that the operation will comply with the applicable regulations, with reasonable conditions imposed.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

Analysis

General Plan: As a conditional use, this operation is allowed in the AV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Agricultural Valley (AV-3) Zone.

The following setbacks apply, to a public utility substation in the AV-3 zone:

-Front: 30 feet

-Side: 10 feet

-Rear: 10 feet

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Thus far, the applicant has received approval from the County Engineering Division, for the proposal.

The following is an analysis of the proposal reviewed against the conditional use standards:

(1) Standards relating to safety for persons and property. The proposal is not anticipated or expected to negatively impact this property, surrounding properties, or persons.

(2) Standards relating to infrastructure, amenities, and services: The proposal is part of the infrastructure related to nearby development, and is not anticipated or expected to negatively impact any existing infrastructure, amenities, or services in the area.

(3) Standards relating to the environment. The proposal is not anticipated or expected to negatively impact the environment.

(4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan. The property on which the conditional use permit is sought will support future residential development, if desired. The proposal complies with and supports the intent of the general plan.

Design Review: The AV-3 zone and the proposed conditional use mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout, and appearance of the building remain orderly and harmonious with the surrounding neighborhood.

As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion. The proposal includes a site plan that identifies the location of the proposed building(s) as well as an access road to the proposed basin site. This site will be accessed from an easement granted by Rocky Mountain Power, through the parcel to the south, and then heading north through parcels owned by the applicant. The basin site will be located behind existing residential development and will not be seen from the street. Weber County Engineering, and Weber Fire District have approved this proposal.

Considerations relating to landscaping. The applicant has indicated that the landscaping of this site will remain consistent with the surroundings. A more detailed landscaping plan shall be submitted prior to issuance of this conditional use permit.

Considerations relating to buildings and site layout. The proposed layout meets the site development standards of a public utility substation within the AV-3 Zone. The proposed basins will be located below grade (see Exhibit B) and fencing is proposed to surround the site.

Staff Recommendation

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements, and is based on the following findings:

- The proposed use is allowed in the AV-3 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Project Narrative
- B. Site Plan and RIB Section

Map 1



Nordic Village – Liberty Properties

Rapid Infiltration Basin Conditional Use Permit Application

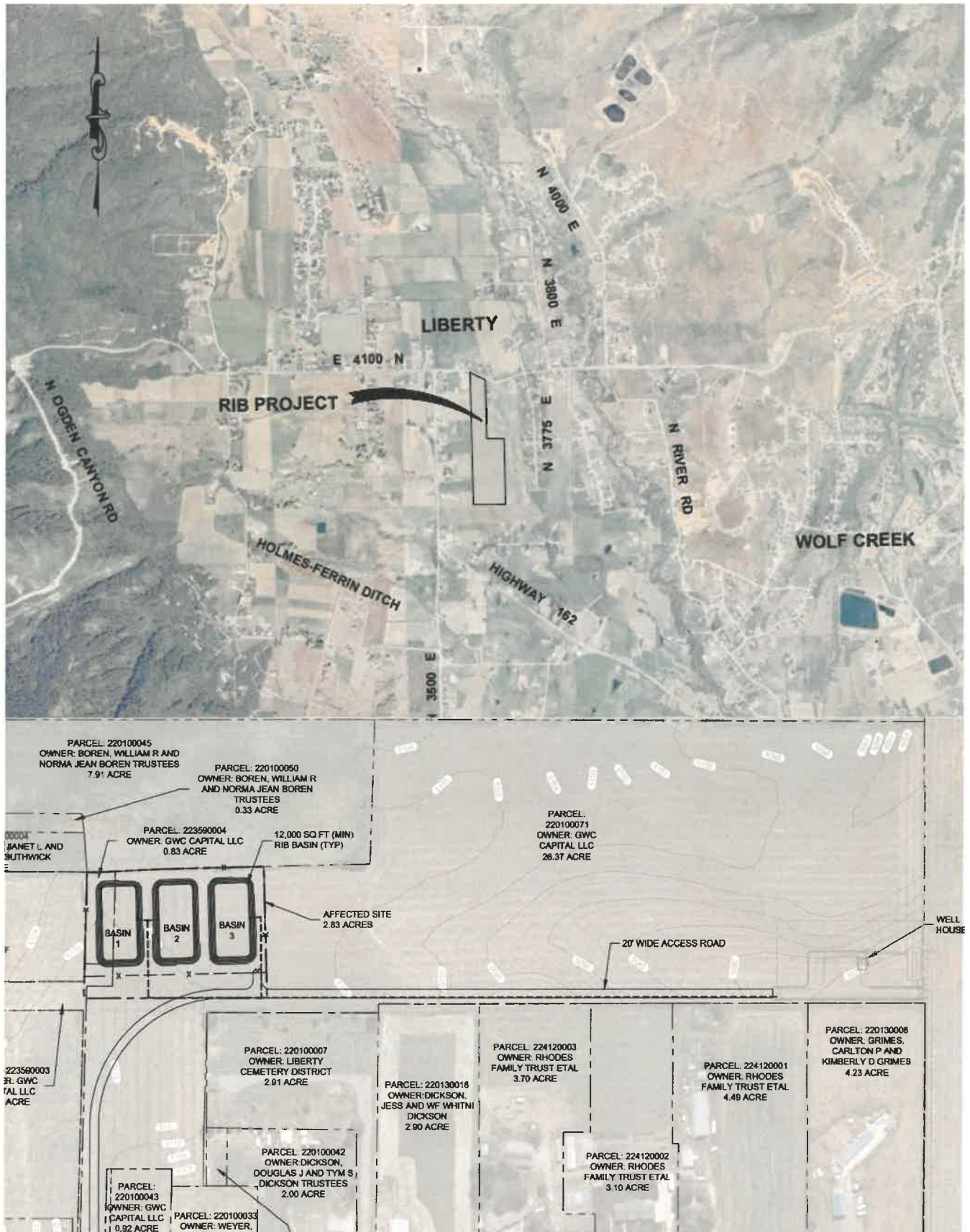
Project Narrative

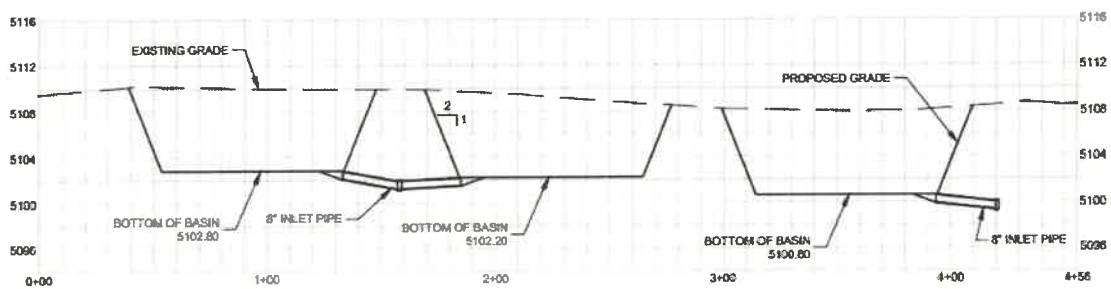
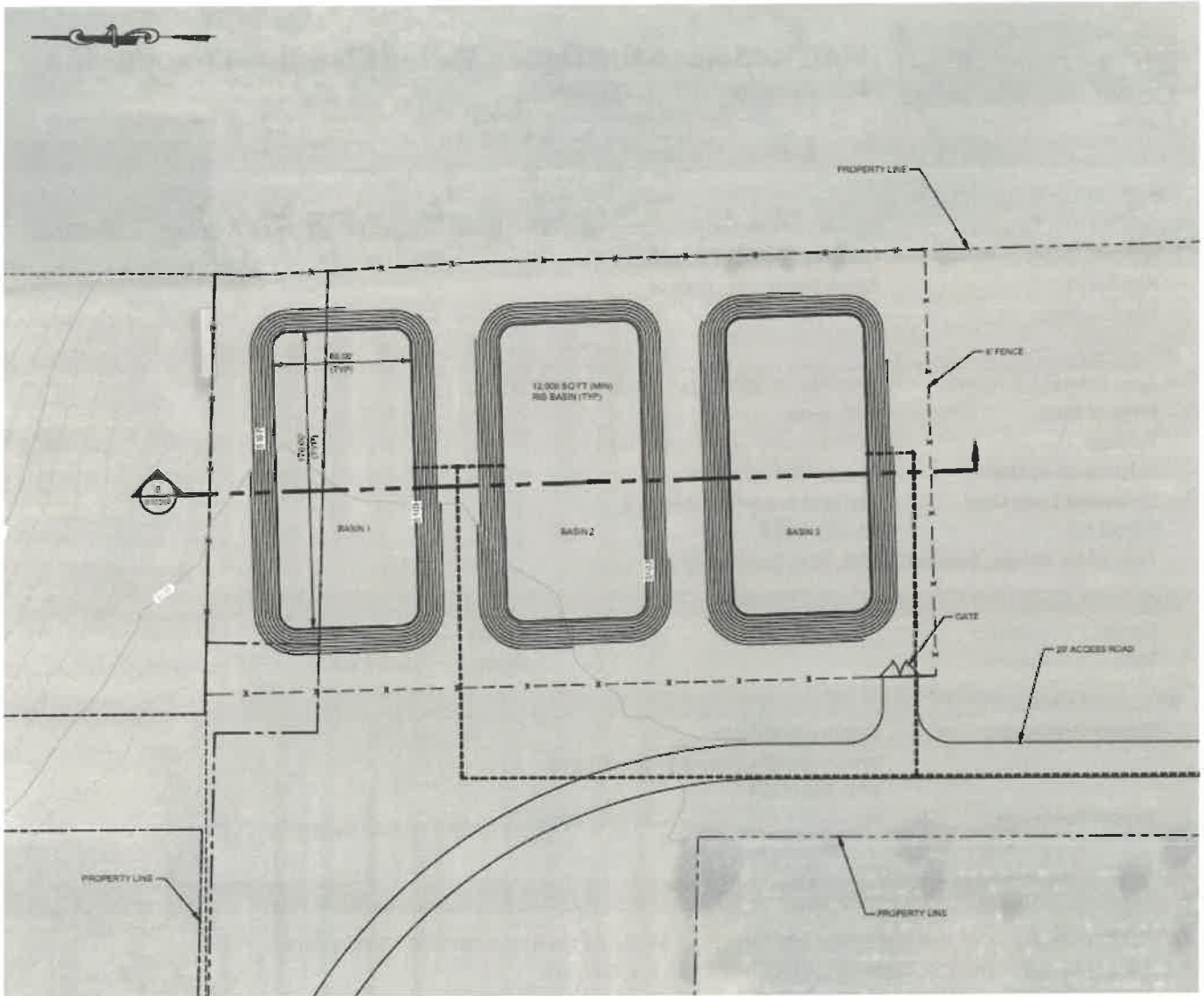
The project proposes to construct infiltration basins for treated wastewater. The water will be treated to better than culinary quality at the proposed treatment plant on the Nordic Village property before it is sent to these infiltration basins. Here, the treated water will infiltrate into the ground, replacing the groundwater that was pumped into the Nordic water system.

The treated wastewater is transmitted from the treatment plant at the Nordic Village site in a pipe that has already been installed in 3500 E.

Based on the infiltration rate measured for the soil at this site for the infiltration basins, each single basin is sized to take 10x the maximum flow that will come from the treatment plant at full buildout, and three basins are being constructed for additional redundancy.

Exhibit B – Site Plan and RIB Section





RIB SECTION
HORIZ. 1"=30'-0" VERT. 1"=6'-0"



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and/or action on a conditional use permit for a Bed & Breakfast Dwelling.
Agenda Date: Tuesday, October 28, 2025
Applicant: Adam Madetzke, Owner
File Number: CUP 2025-19

Property Information

Approximate Address: 2978 North 3500 East, Eden, UT, 84310
Project Area: 1.45 acres
Zoning: Forest Valley - 3 Zone (FV-3)
Existing Land Use: Residential
Proposed Land Use: Bed and breakfast dwelling
Parcel ID: 22-023-0068
Township, Range, Section: T7N, R1E, Section 29 SE

Adjacent Land Use

North:	Vacant	South:	Vacant
East:	Vacant	West:	3500 East St

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794
Report Reviewer: FL

Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 8 (Parking and loading Space)

Summary and Background

The applicant is requesting approval of a conditional use permit for a Bed and Breakfast Dwelling located in the FV-3 zone at 2978 North 3500 East, Eden, UT. The FV-3 Zone allows a "bed and breakfast dwelling" as a conditional use. The property is well situated for visitors interested in the many outdoor activities the Ogden Valley has to offer. This property has access from 3500 East Street and situated a few hundred feet northeast from the Nordic Resort.

Visitors to this bed and breakfast will have proximity to a ski resort. Applicant has not indicated if meals will be served on site.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by directing new commercial development to Huntsville (pg. 25 Ogden Valley General Plan, Commercial Development Goal 1). As a conditional use, this operation is allowed in the FV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Forest Valley (FV-3) Zone. The purpose of the FV-3 Zone can be further described in LUC §104-21-1 as follows:

The purpose of the FV-3 zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

The FV-3 Zone has specific standards identified in the LUC §104-14-3 (2) as well as additional standards that are outlined throughout the LUC that shall be met as part of the development process. The applicable standards are as follows:

- Two parking spaces shall be provided for the host family plus one space for each guest room;
- Proprietor or owner shall occupy the property;
- Signs are limited to a nameplate identification sign not exceeding two square feet in area per dwelling;
- Not more than two guests sleeping rooms per dwelling;
- Allowed only in existing dwellings with no exterior additions nor change in residential character;

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to commencing work, the applicant will need to receive approval from the applicable agencies for the proposal. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met.

Design Review: To ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood, this proposal has been reviewed for compliance with LUC §108-1. This is an existing home and no changes are proposed to this dwelling.

Considerations relating to traffic safety and traffic congestion. LUC §104-14-3 (b) outlines parking regulations for a bed and breakfast dwelling. There shall be two parking spaces for the host family with one additional space per sleeping room. The site plan indicates that the guest parking spaces are not in the front yard set-back area. The applicant has indicated parking for the owners in the garage, and guest parking on the north side of the garage (existing hard surface). It is Planning Staff's observation that the existing parking spaces are adequate for the owners and guests.

Considerations relating to landscaping. The existing landscaping is not proposed to change.

Considerations relating to buildings and site layout. The existing buildings meet the site development standards of the FV-3 Zone. The parking area is on the south of the property and well away from view from Hwy 39. A line of trees and shrubs on the south side of the property screen the parking area from neighboring properties. Natural screening is already in place, and meets design standards as outlined in 108-8-7(3).

Considerations relating to utility easements, drainage, and other engineering questions. The existing structures do not encroach into easements or drainages.

Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval. The proposed site does not have any type of development agreement associated with the property; therefore considerations pertaining to this portion of the code are not applicable at this time.

Staff Recommendation

Staff recommends approval of this conditional use application, as the applicant has shown compliance to the above standards and requirements. This recommendation for approval is subject to the applicant meeting the conditions of approval in this

staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agencies and is based on the following conditions:

- A business license is obtained prior to opening to the public.
- No visitor parking allowed on the public right-of-way (3500 East Street) or within the front yard setback area.

The following findings are the basis for the Planning Division recommendation:

- The proposed use is allowed in the FV-3 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Application & Narrative
- B. Pictures & Site Plan

Exhibit A - Application & Narrative

Madetzke-Adam-Conditional Use Permits

[+ Add Follower](#)[✎ Change Status](#)[✎ Change Review Due Date](#)[✎ Edit Project](#)

Address: 2978 North 3500 East, Eden, UT, 84310
Maps: [Google Maps](#)
Project Type: Conditional Use Permits
Sub Type: Conditional Use Permits
Created By: [Adam Madetzke](#)
Created On: 7/21/2025

Project Status: Accepted
Status Date: 9/11/2025
File Number: CUP 2025-24
Project Manager: [Tammy Aydelotte](#)

[Application](#)[Documents](#) 8[Comments](#) 1[Reviews](#) 2[Followers](#) 14[History](#)[Reminder](#) 0[Payments](#) 1[Internal](#) 0

Application

[+ Add Building](#)[+ Add Parcel](#)[✎ Edit Application](#)[+ Add a Contractor](#)[Print](#)[Building Permit](#)

Project Description

would like a conditional use permit for a dwelling bed and breakfast. we would like to start offering the services of a bed and breakfast in our home so that we can share our unique valley with others and provide an affordable and informational guest experience.

Property Address

2978 North 3500 East
Eden, UT, 84310

Property Owner

Adam Madetzke
801-509-5454
admadedtzke@gmail.com

Representative

Winifred Harper
801-509-5455
winifredharper1@gmail.com

Accessory Dwelling Unit

False

Current Zoning

FV-3

Subdivision Name

Number of new lots being created

0

Lot Number

220230068

Lot Size

1.45 acres

Frontage

Culinary Water Authority

Not Applicable

Secondary Water Provider

Not Applicable

Sanitary Sewer Authority

Not Applicable

Nearest Hydrant Address

2978 N. 3500 E.

Signed By

Owner, Adam Madetzke

Parcel Number

[✖ Remove](#) 220230068 - [County Map](#)

Project Narrative:

My wife and I are requesting a conditional use permit to operate a dwelling bed and breakfast. Our current address is 2978 N. 3500 E. Eden Ut 84310. We are located at the base of Nordic Valley Ski Resort. We live on 1.45 acres of land and have plenty of parking. We have 2 spaces in our garage and two spaces right next to our house that will not impede our horseshoe driveway. We also have parking below our house as well as plenty of covered parking in our pole barn. We are looking to accommodate guests in our walk out basement which is approximately 800 square feet and has a small kitchen, bathroom, bedroom and living room. Our family lives on site. We will be making sure our guests enjoy a quiet stay with a local feel in a beautiful location in the Ogden Valley.

With our house being located at the base of Nordic Valley Ski Resort on a busy road, a dwelling Bed and Breakfast will not negatively impact the neighborhood. There is already a high volume of traffic on the road and with the small number of guests allowed at a dwelling Bed and Breakfast, it will not be a noticeable difference in traffic. We have contacted the Weber/Morgan Health dept. and verified that we have the proper septic system to handle the additional volume of our guests at a dwelling bed and breakfast. We also have a well with 1 acre foot share of water rights with a new well pump recently installed to ensure adequate water pressure and flow to our house. We also have a water filtration system for the well water and have had it tested a number of times over the years at the Weber Basin Water Conservancy district at the quality lab center to ensure good quality water.

We have 1 amenity on site. It is a hot tub. It has a hot tub cover for safety and is checked regularly to maintain a proper ph level in the water. It is located on the ground level of the house underneath a waterproof deck.

Thank you for your consideration of a conditional use permit for a dwelling bed and breakfast at our residence. We feel it would be a benefit to the Ogden valley to provide a quaint bed and breakfast for visitors to come, stay and share in the Ogden Valley's rich history with us.

Exhibit B - Pictures & Site Plan

7/30/25 9:59 AM

2978 N 3500 E - Google Maps

Google Maps

2978 N 3500 E

E

Google Street View

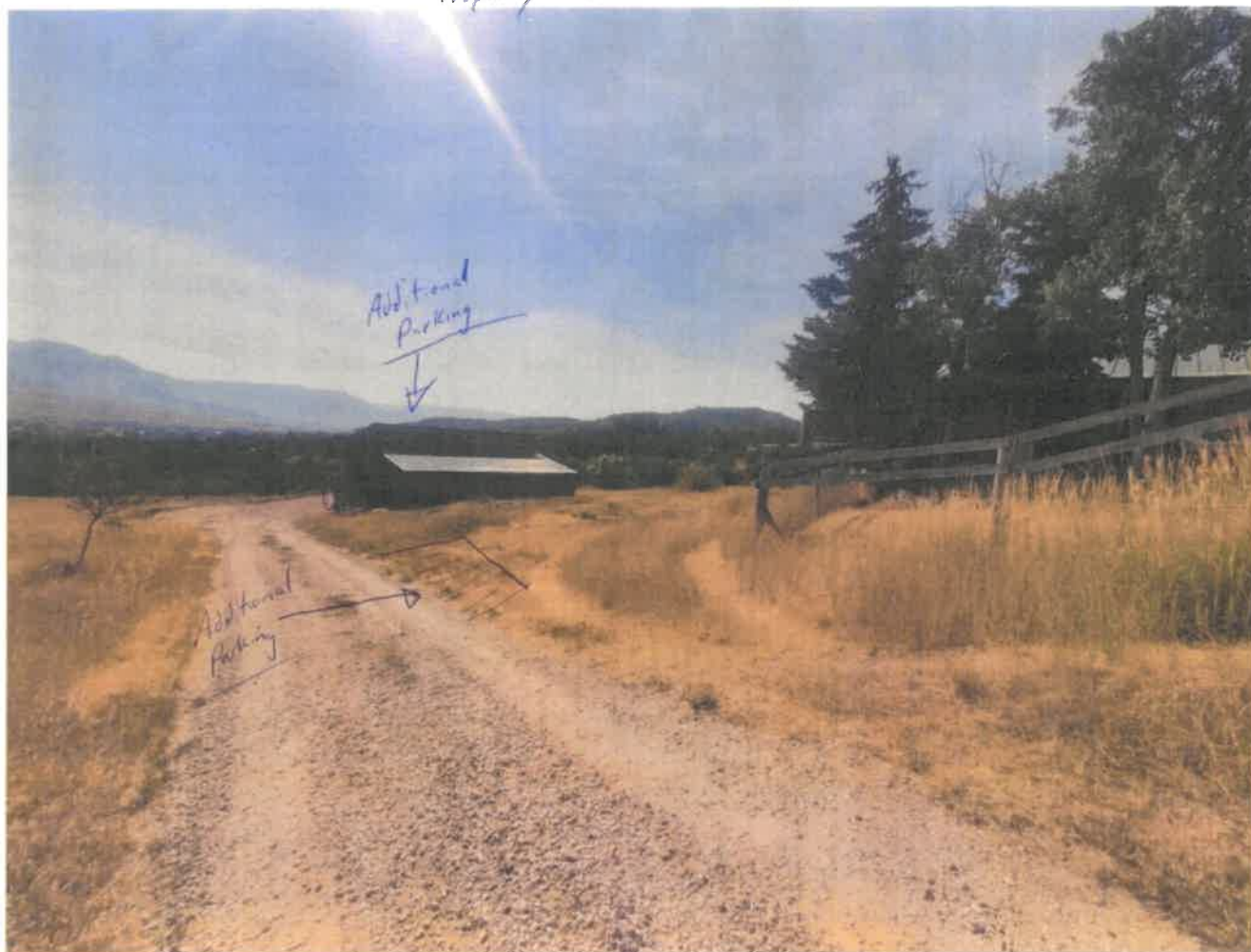
Jan 2024



View from ^W the main Road (facing East)
(3500 E)

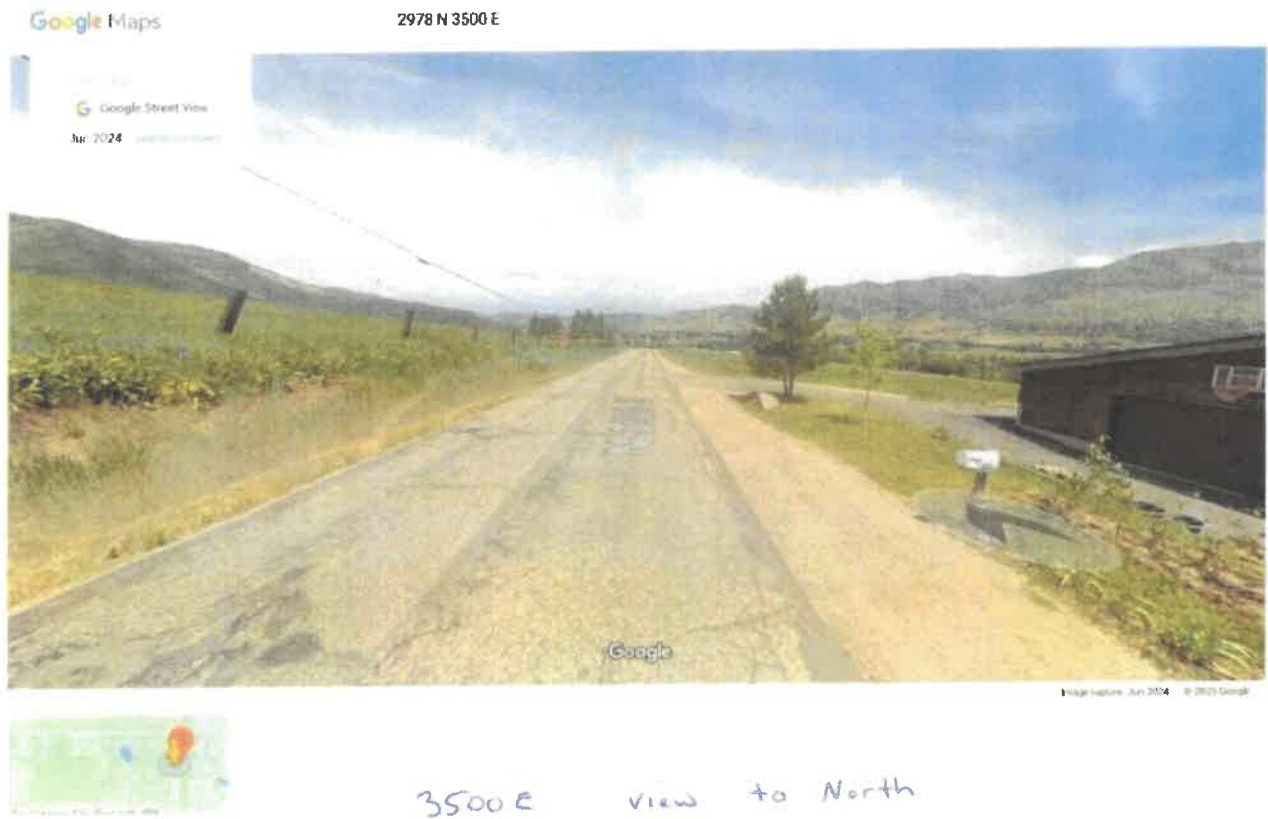
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Property View to East



7/30/25, 10:04 AM

2978 N 3500 E - Google Maps



3500 E view to North

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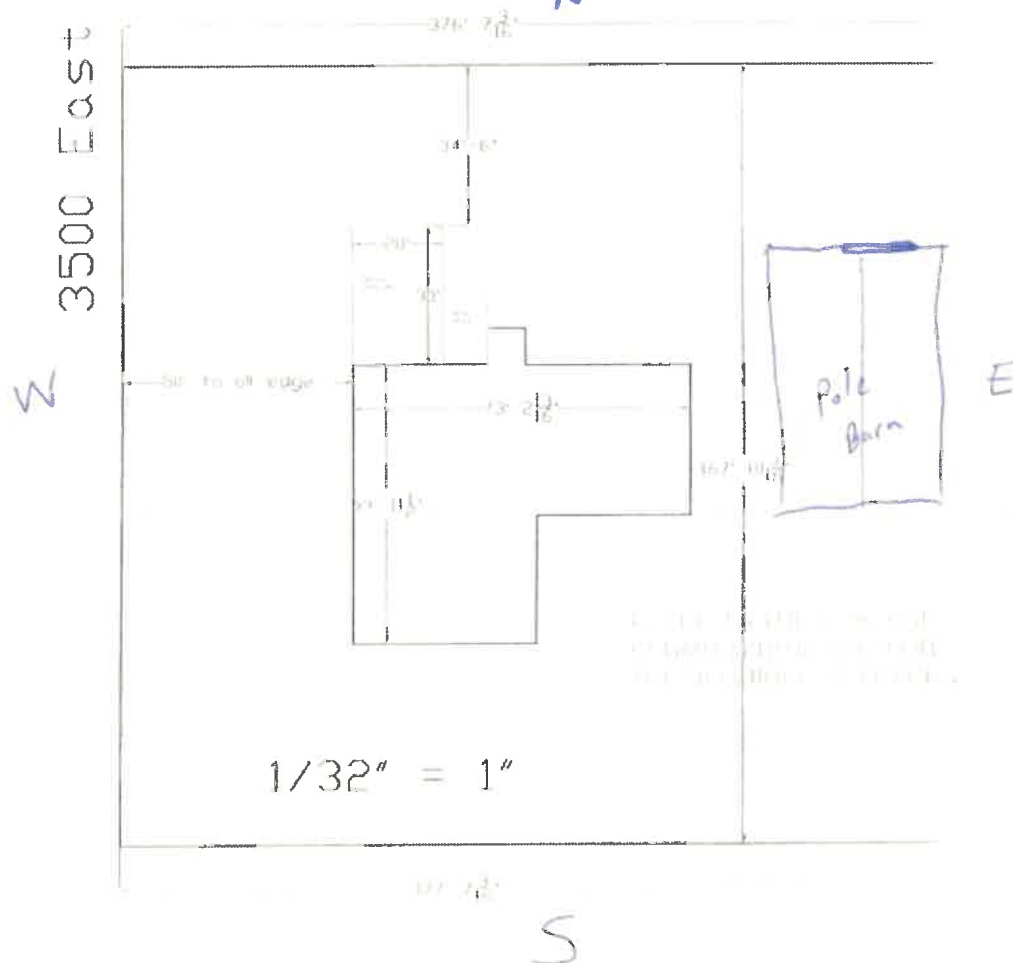
Walk-out Basement (Proposed B+B) + Parking



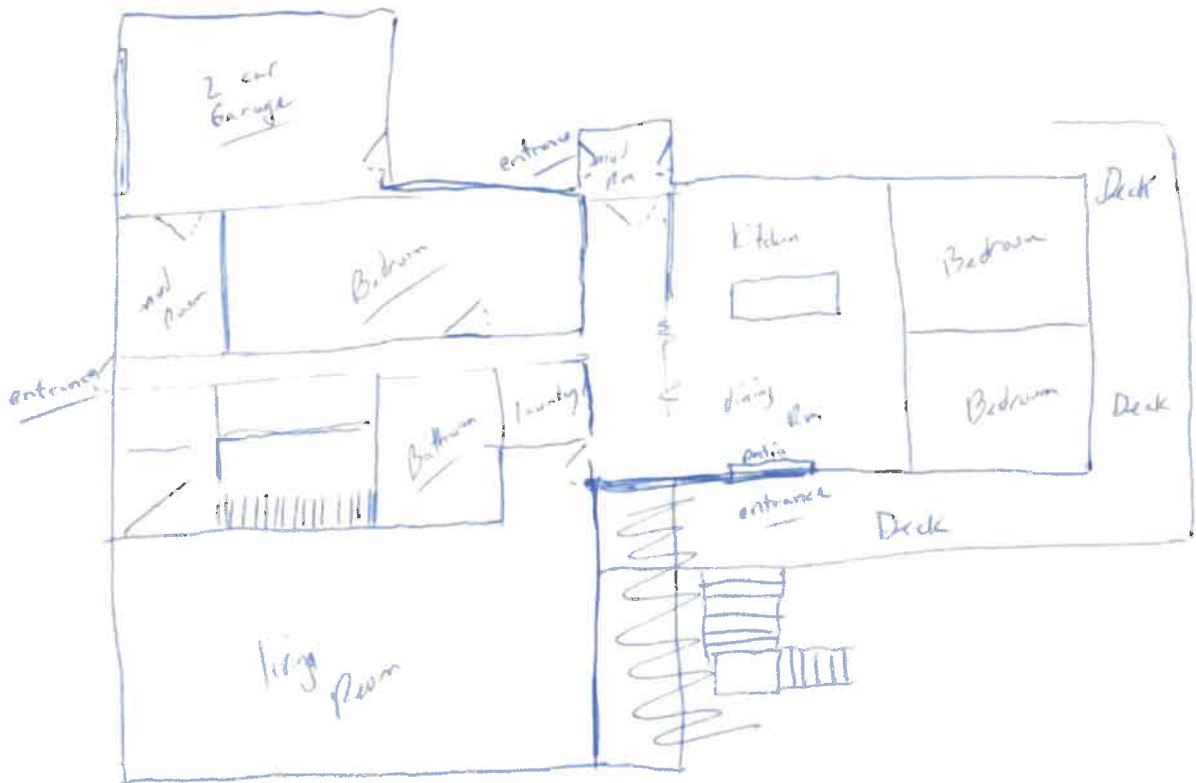
Walk-out Basement entrance (Proposed B+B)



N



1st floor (Residence)



2nd Floor (Residence)





Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for design review approval of a 5,120 square-foot accessory storage building in the A-1 zone, that is more than twice the size of the primary dwelling's footprint.

Agenda Date: Tuesday, October 28, 2025

Applicant: Paul Jeppsen

File Number: DR 2025-15

Property Information

Approximate Address: 7704 E 500 N, Huntsville, UT, 84317

Project Area: 2.72 acres

Zoning: Agricultural AV-3

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 21-007-0020

Township, Range, Section: T6N, R2E, Sec 07 SE Qtr

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794

Report Reviewer: FL

Adjacent Land Use

North:	Agricultural	South:	500 North St
East:	Agricultural	West:	Residential

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 5 Agricultural (AV-3)
- Weber County Land Use Code Title 108 (Standards) Chapter 1 Design Review
- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 16 (Large Accessory Buildings - 1,000 Square Feet or Larger)

Background and Analysis

The applicant is requesting design review approval of a large residential accessory storage building that is approximately 5,120 square feet 7704 E 500 N, Huntsville (see **Exhibit A** for the formal application). The property is zoned Agricultural (AV-3). The lot is 2.72 acres.

County records indicate that there is a two-story 2,198 square foot single family detached dwelling currently on the property. The footprint of this dwelling is approximately 1,158 square feet (less than half of the proposed accessory structure's overall area). The proposed accessory structure is a 5,120 square foot (80 foot by 64 foot) building (see **Exhibit C**). The proposed building will be 35 feet from west the property line, 430 feet from the front lot line, approximately 355 feet from the rear lot line, 50 feet from the east lot boundary, and 81 feet behind the home (see **Exhibit B**).

Section 108-7-16, Large accessory buildings (1,000 square feet or larger), number (c) states "Accessory buildings that exceed the dwelling in area by more than double as measured by the footprint of the dwelling shall require approval by the planning commission as a **design review**". When compared to the dwelling's footprint (1,343 sq. ft.), the proposed structure (2,816 sq. ft.) is 130 square feet larger than double the dwelling's footprint (2,686 sq. ft.).

LUC Sec. 108-1 (Design Review) - 1 (Purpose) - "The purpose and intent of design review by the planning commission is to secure the general purposes of this chapter (LUC Sec. 108-1) and the master plan and to ensure that the general design, layout and appearance of buildings and structures and the development of property shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood".

LUC Sec. 108-1-2 "...All plans shall be reviewed and approved by the planning commission with the exception that small buildings or additions with a total footprint of less than 10,000 square feet, and which impact an area of less than one acre may be reviewed and approved by the planning director after meeting the requirements of all applicable ordinances."

Though the proposal disturbs less than one acre, the structure is 10,100 square feet. This necessitates approval by the Planning Commission.

Beyond the required Design Review, the following sections of code are also applicable to a large accessory structure, of which this proposed structure has been found to be in compliance:

Section 108-7-16, list the setbacks for large accessory buildings (1,000 square feet or larger) as follow:

(a) Accessory buildings 1,000 square feet or larger in area that accommodates uses meeting zoning requirements shall:

(1) Be located at least six feet from the rear of a dwelling in the residential estates zones and at least ten feet from the rear of a dwelling in the agricultural and forest zones.

(2) Have a side yard setback of at least ten feet on an interior lot and 40 feet on a corner lot where the side property line is adjacent to a street.

(3) Have a maximum height of 25 feet.

Exceptions: The side yard may be reduced to three feet (except in a forest zone) and the height increased to 35 feet if the accessory building is located at least 100 feet from a property line adjacent to a street and at least 40 feet from a dwelling on an adjacent lot.

The proposed structure height is 24'4" from finished grade to the highest point of the roof.

Conformance to the General Plan

This site plan conforms to the Ogden Valley General Plan by meeting the outlined permitted land uses of the zone in which it is located, and all of the applicable requirements of the Weber County Land Use Code for the siting of a large accessory building.

Summary of Planning Commission Considerations

When reading through the requirements of LUC Sec. 108-1 (Design Review), it is evident that the chapter is primarily intended for more intensive uses such as multifamily developments, resorts, commercial and manufacturing buildings, etc. As such, the code lays out specific requirements for traffic, landscaping, buildings and site layout, easements and drainage, and any associated rezoning conditions. These considerations are not specifically geared towards residential uses. For this reason, staff has asked that the applicant provide higher level review materials such as architectural elevations, proposed materials and colors, and a site plan for the planning commission's review and consideration. Based on these submitted materials, the commission will need to determine if enough information has been provided to evaluate the following considerations:

- Are the project layout and setbacks consistent with applicable requirements of the Weber County Land Use Code?
- Would this project impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood?
- Should any additional design elements be implemented as conditions of approval?

Conditions of Approval

Should the planning commission vote to approve this design review request, the following condition of approval would be necessary along with any other conditions that may be added by the commission:

- Satisfaction of all review agency requirements involved with the issuance of a Land Use Permit and Building Permit for the proposed structure.

Staff Recommendation

Staff recommends approval of this design review application to enable construction of an residential accessory structure, which proposed uses do not conflict with zoning ordinance, based upon all review agency requirements and the following findings:

- The proposed use is allowed in the AV-3 Zone
- All development standards have been met – proposed building does not exceed maximum height of 25', and site plan shows compliance with all minimum setbacks for a large accessory structure in the AV-3 Zone.
- With any imposed conditions, the proposed building does not impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood.

Alternatively, if the commission determines that additional review information is needed for adequate consideration, the commission could vote to table the application until such material is furnished for further review.

Exhibits

- A. Design Review Application
- B. Site Plan
- C. Building Plans and Elevations

Project Location



Exhibit A: Design Review Application

Jeppsen-Paul-Design Reviews

[+ Add Follower](#)[✎ Change Status](#)[✎ Change Review Due Date](#)[✎ Edit Project](#)

Address: 7704 E 500 N, Huntsville, UT, 84317
Maps: [Google Maps](#)
Project Type: Design Reviews
Sub Type: Design Reviews
Created By: [Courtney Brown](#)
Created On: 8/28/2025

Project Status: Accepted
Status Date: 9/3/2025
File Number: DR 2025-15
Project Manager: [Tammy Aydelotte](#)

[Application](#)[Documents](#) 6[Comments](#) 1[Reviews](#) 2[Followers](#) 11[History](#)[Reminder](#) 0[Payments](#) 1[Internal](#) 0

Application

[+ Add Building](#)[+ Add Parcel](#)[✎ Edit Application](#)[+ Add a Contractor](#)[Print](#)[Building Permit](#)

Project Description

5120 sq ft pole building to be used as vehicle and farm storage

Property Address

7704 E 500 N
Huntsville, UT, 84317

Property Owner

Paul Jeppsen
801-573-2227
jeppsenp@yahoo.com

Representative

Courtney Brown
801-689-3630
courtneyb@roperbuildings.com

Accessory Dwelling Unit

False

Current Zoning

AV-3

Subdivision Name

Number of new lots being created

0

Lot Number

Lot Size

Frontage

Culinary Water Authority

Secondary Water Provider

Sanitary Sewer Authority

Nearest Hydrant Address

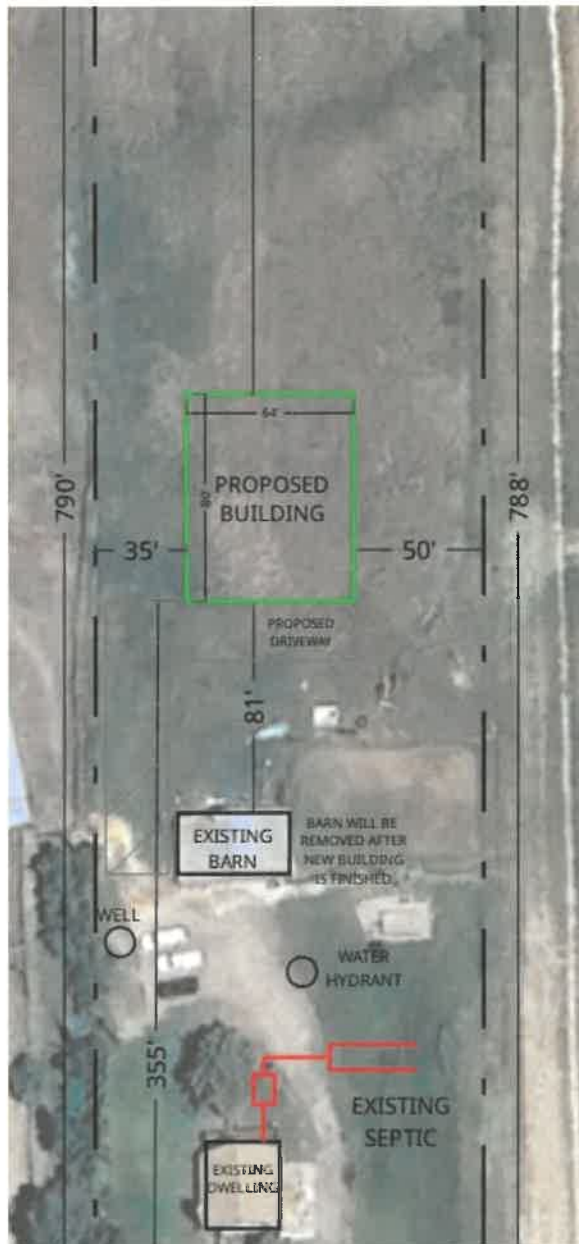
Signed By

Representative, Courtney Brown

Parcel Number

[✖ Remove](#) 210070020 - [County Map](#)

Exhibit B: Site Plan

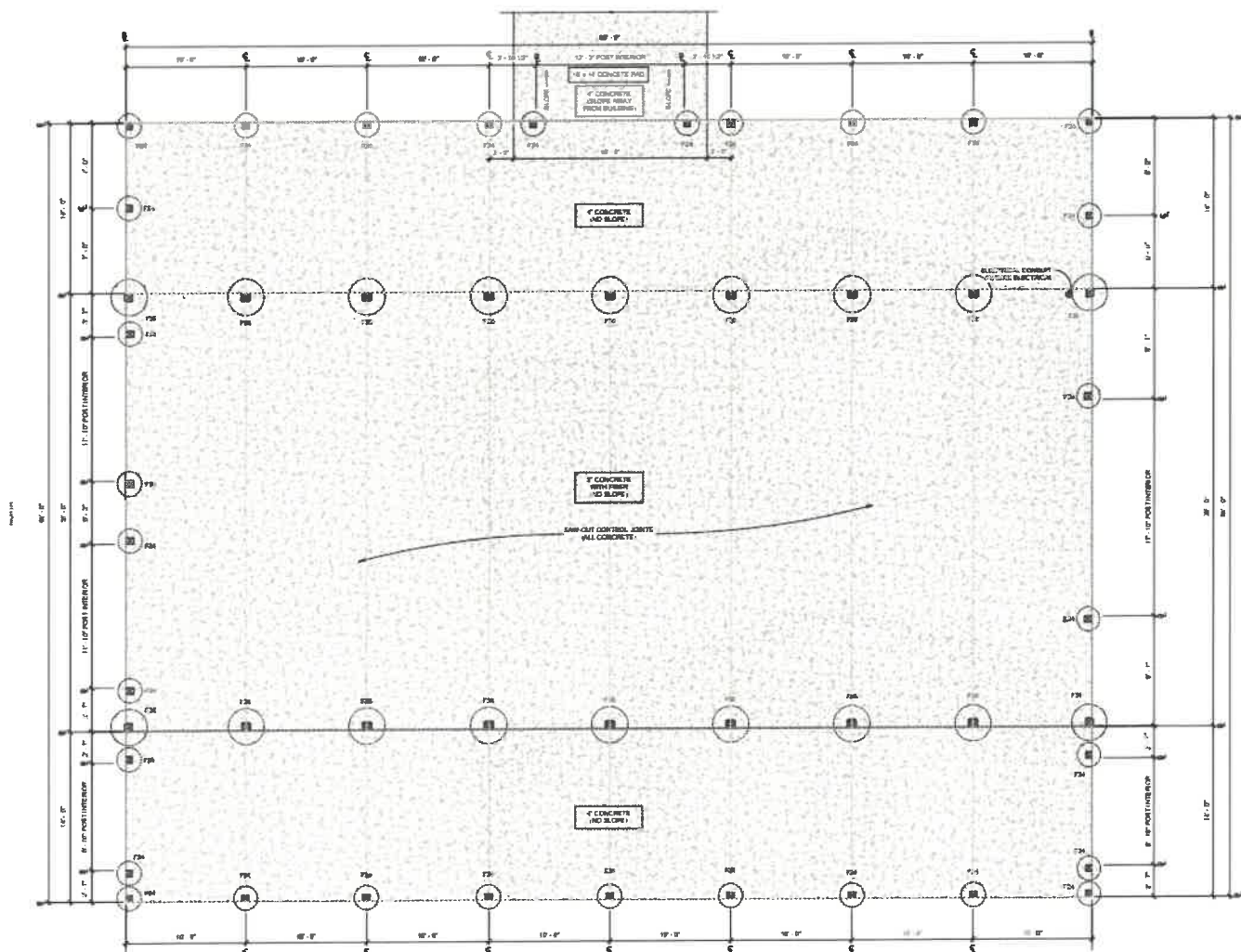
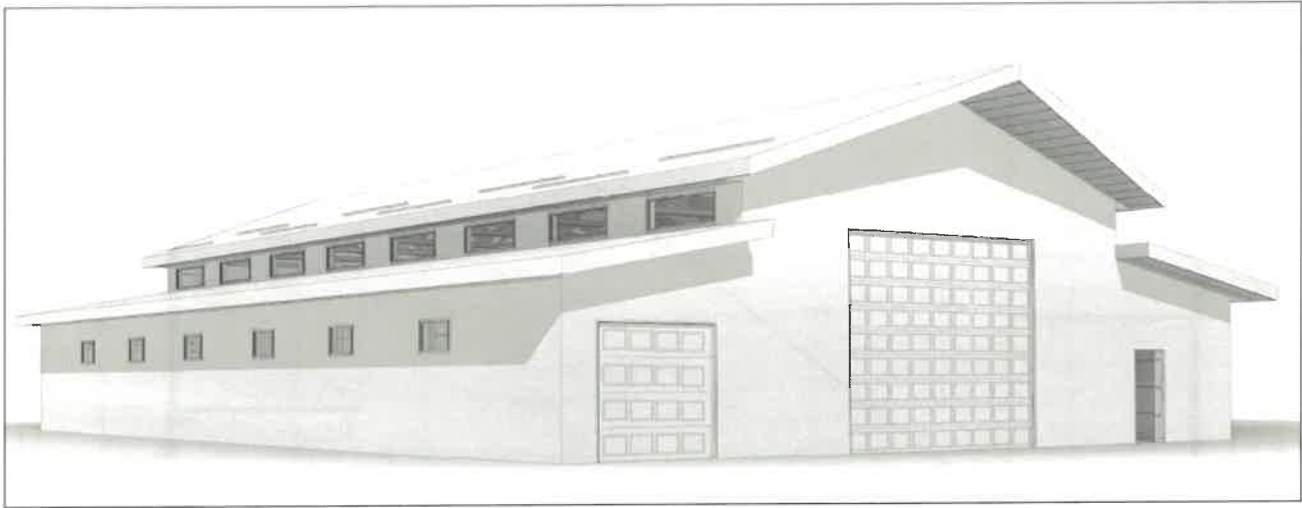


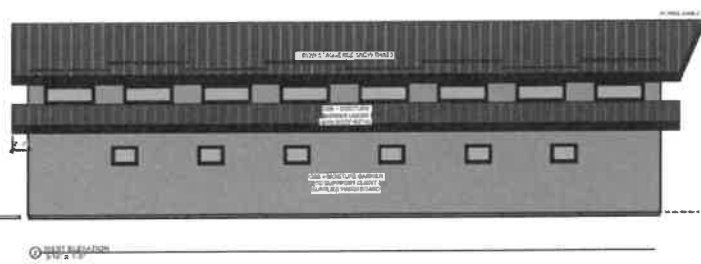
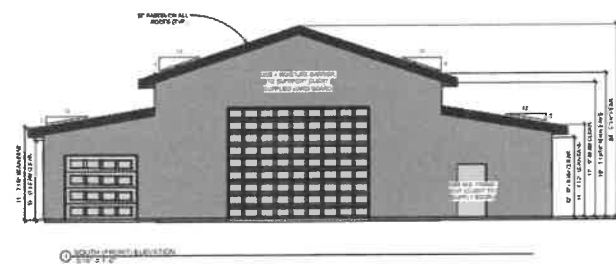
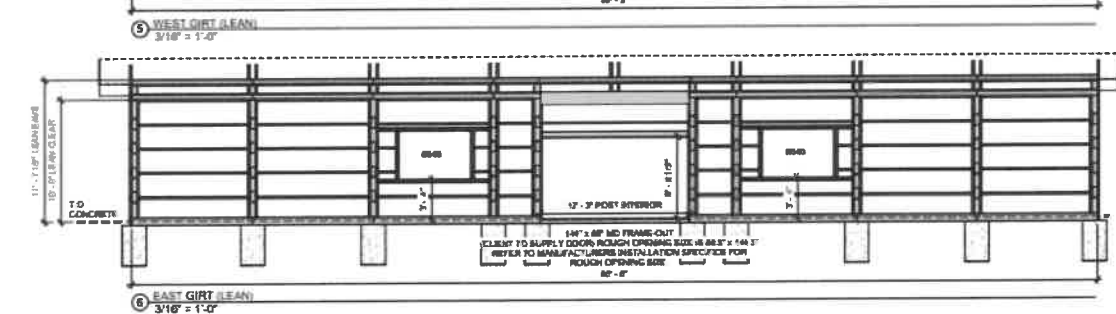
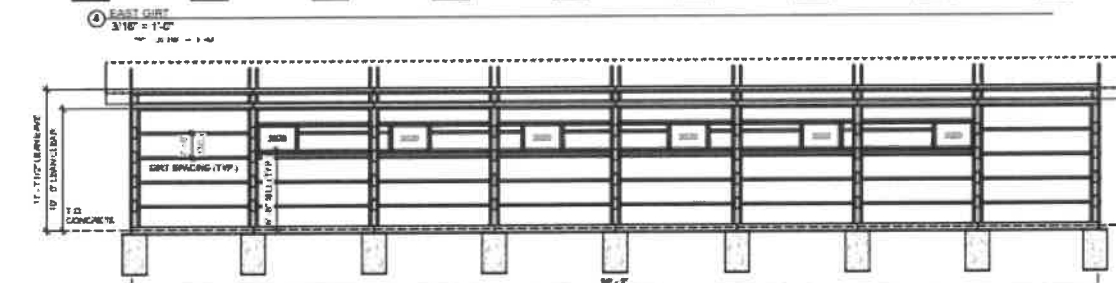
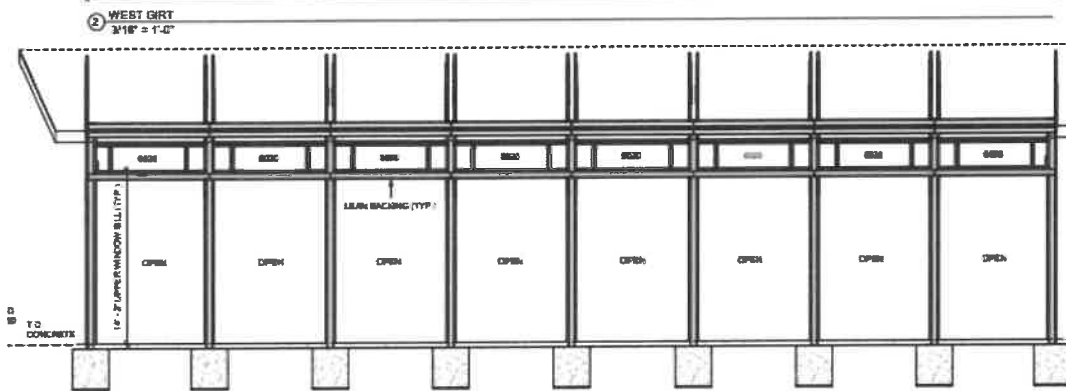
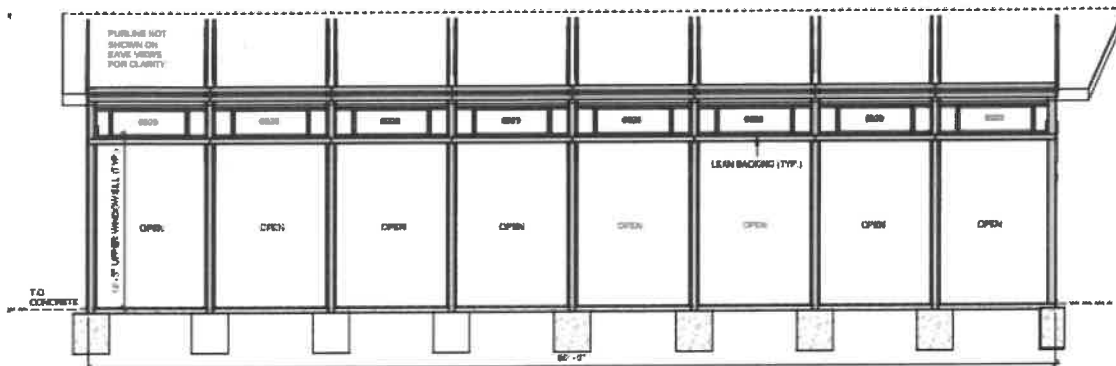
150'
SCALE

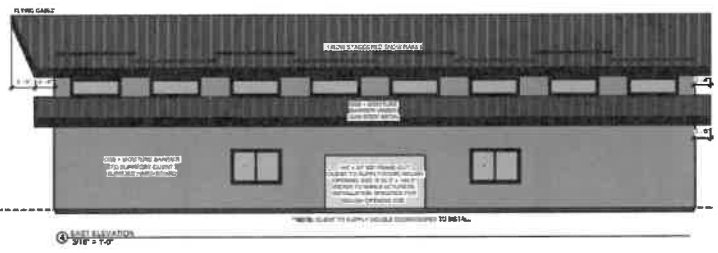
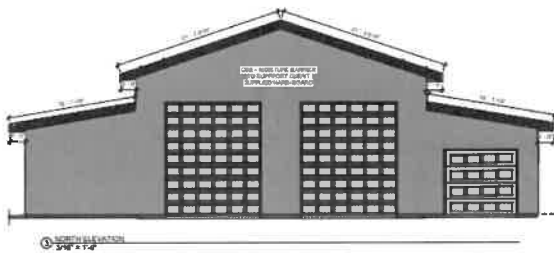
Notes:

1. Drainage to be maintained on lot.
2. Grade to slope away from structure at 5%.
3. Material to be dropped off on site without disruption to traffic.
4. A portable toilet, dumpster and concrete washout will be on site during construction.
5. Project construction to adhere to all codes and ordinances adopted by Weber County.
6. Site plan prepared by contractor with information obtained by public record and the Weber County GIS system.

ROPER BUILDINGS
STEPHANIE & PAUL JEPPSEN BUILDING









Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Request for approval of a conditional use permit for expansion of a public utility substation located at the corner of 2100 N and 5700 E in Eden, UT. The expansion is required to replace the existing transformers with larger transformers to accommodate the growth in the area. The substation expansion will also allow for the substation to be updated to improve wildfire mitigation standards and provide overall reliability upgrades to the substation.

Application Type: Administrative

File Number: CUP 2025-20

Applicant: Utha Power and Light/Rocky Mountain Power

Agenda Date: Tuesday, October 28, 2025

Approximate Address: 2100 N 5700 E, Eden UT 84310

Project Area: Approximately 1.22 Acres

Zoning: AV-3

Existing Land Use: Public Utility Substation

Parcel ID: 22-051-0006

Township, Range, Section: Township 7 North, Range 1 East, Section 35

Adjacent Land Use

North: 2100 North

South: Residential

East: Residential

West: 5700 East Street

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794

Report Reviewer: FL

Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 2 (Agricultural Valley Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 10 (Public Utility Substations)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

Background and Summary

The applicant is requesting approval of permit for expansion of a public utility substation located at the corner of 2100 N and 5700 E in Eden, UT. The existing project area footprint is approximately 11,000 square feet. The proposal includes expansion of the project area by approximately 785 square feet. This expansion is required to replace the existing transformers with larger transformers to accommodate the growth in the area. The substation expansion will also allow for the substation to be updated to improve wildfire mitigation standards and provide overall reliability upgrades to the substation.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

Analysis

General Plan: As a conditional use, this operation is allowed in the AV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Agricultural Valley (AV-3) Zone.

The following setbacks apply, to a public utility substation in the AV-3 zone:

- Front: 30 feet
- Side: 10 feet
- Rear: 10 feet

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Thus far, the applicant has received approval from the County Engineering Division, for the proposal.

The following is an analysis of the proposal reviewed against the conditional use standards:

(1) Standards relating to safety for persons and property. The proposal is not anticipated or expected to negatively impact this property, surrounding properties, or persons.

(2) Standards relating to infrastructure, amenities, and services: The proposal is part of the infrastructure related to nearby development, and is not anticipated or expected to negatively impact any existing infrastructure, amenities, or services in the area.

(3) Standards relating to the environment. The proposal is not anticipated or expected to negatively impact the environment.

(4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan. The property on which the conditional use permit is sought will support future residential development, if desired. The proposal complies with and supports the intent of the general plan.

Design Review: The AV-3 zone and the proposed conditional use mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout, and appearance of the building remain orderly and harmonious with the surrounding neighborhood.

As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion. The application is not proposing to change existing access to the site. Applicant is proposing to keep all debris within project area and will remove site waste and debris daily. Applicant is proposing to mitigate dust during construction with water and and/or other acceptable measures.

Considerations relating to landscaping. The applicant has indicated that the landscaping of this site will remain unchanged and consistent with the surroundings (surrounding use is agricultural).

Considerations relating to buildings and site layout. The proposed expansion does not include any structures. There is approximately 7' fencing proposed around with site, with fencing fabric covering the chain link. Per Weber County LUC 108-7-3(e), requirements regarding fences do not apply to public utility substations. This includes type and height.

Staff Recommendation

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements, and is based on the following findings:

- The proposed use is allowed in the AV-3 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Project Narrative
- B. Site Plan

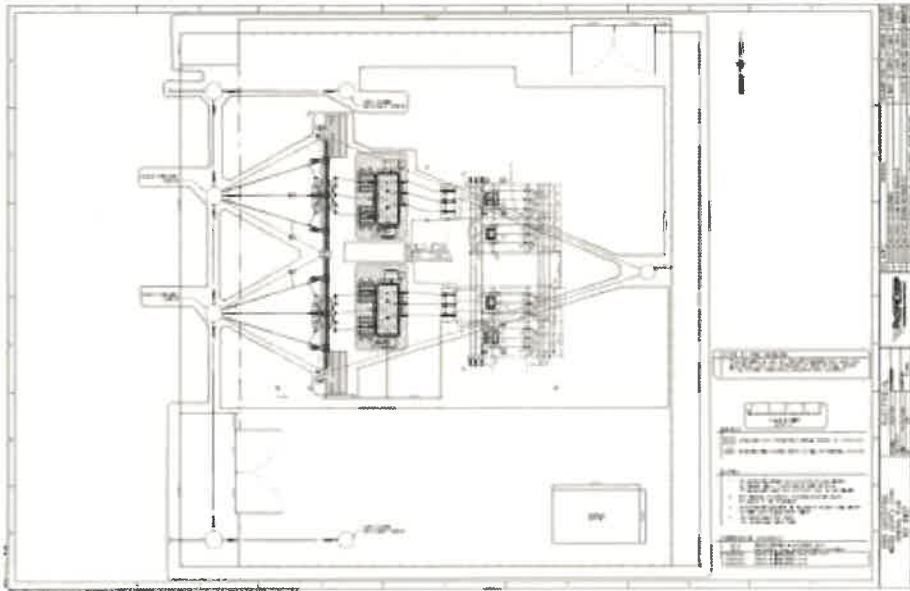


Rocky Mountain Power – Eden Substation Expansion

Detailed Narrative of the Request:

- Expand the existing Rocky Mountain Power (Utah Power and Light Company) Eden Substation at the corner of 2100 N and 5700 E in Eden, UT. The expansion is required to replace the existing transformers with larger transformers to accommodate the growth in the area. The substation expansion will also allow for the substation to be updated to improve wildfire mitigation standards and provide overall reliability upgrades to the substation.
- Sub Expansion Details
 - Expand yard and fence to the south by 44'-4"
 - Expand yard and fence to the north by 9'-1"
 - Expand yard and fence to the east by 14'-0"

Site Plan



Water and Wastewater Plan

- No changes to existing plan

Landscape Plan

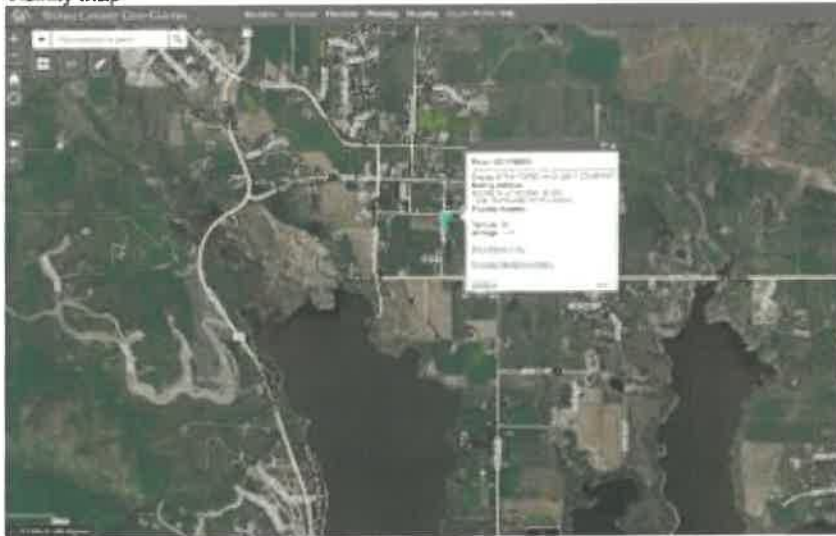
- Not Applicable

Parking Plan

- Not Applicable

Application Submittal 9/11/2025

Vicinity Map



Architectural Renderings and Engineered Plans

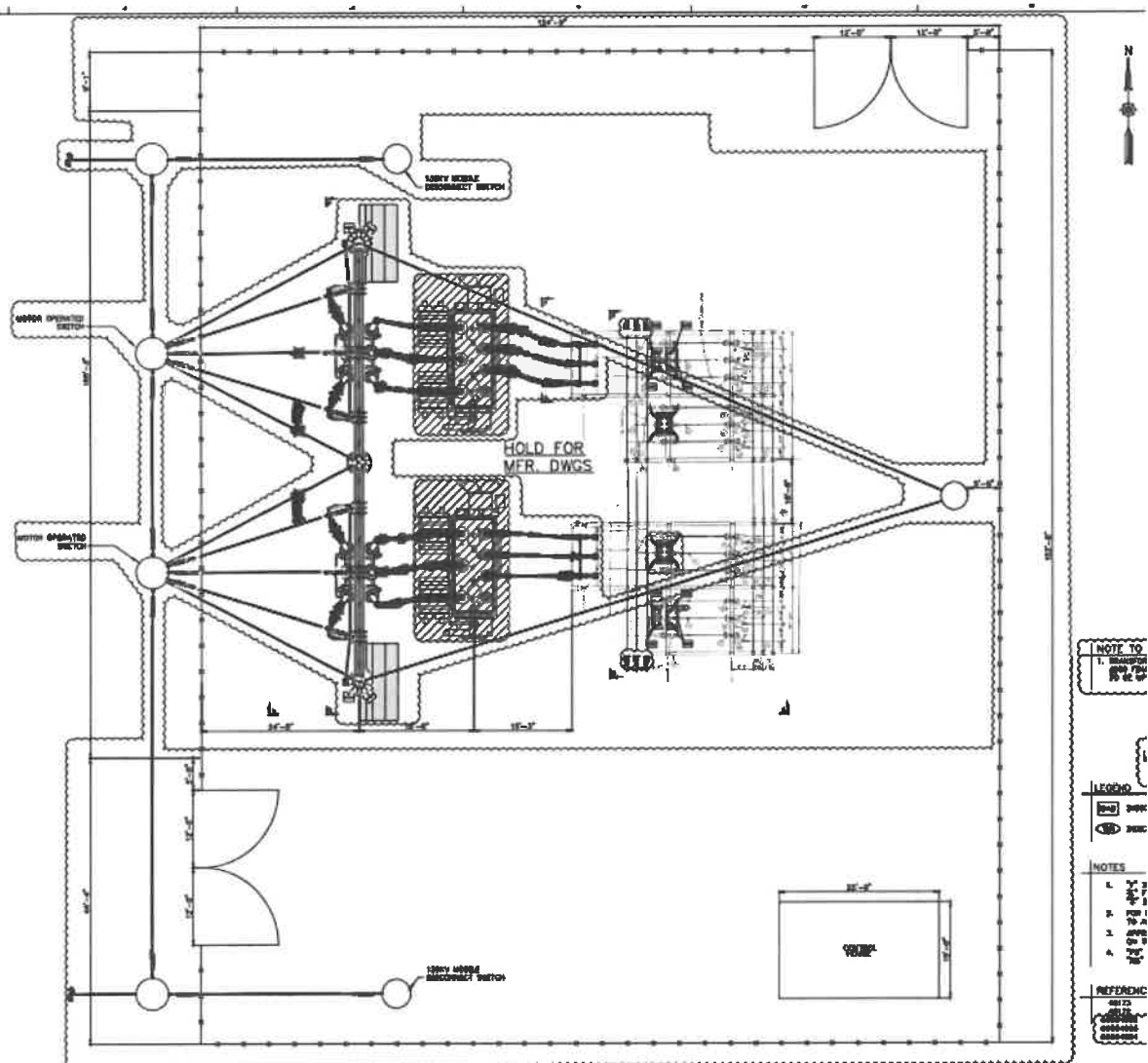
- Submitted with Application

Exterior Lighting Plan

- Not Applicable

Application Submittal 9/11/2025

Exhibit B – Site Plan





Staff Report for the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for design review approval of storage units located at 4708 East 2650 North, Eden, UT 84310

Type of Decision: Administrative

Applicant: Jeff Allan

File Number: DR 2025-10

Property Information

Approximate Address: 4708 East 2650 North, Eden, UT, 84310

Project Area: 4.469 acres

Zoning: CV-2

Existing Land Use: Vacant

Proposed Land Use: Commercial

Parcel ID: 22-040-0036

Township, Range, Section: Township 7 North, Range 1 East, Section 33 NE, 28 SE, 27 SW, 34 NW

Adjacent Land Use

North:	Vacant/Snowcrest Jr. High	South:	2650 North Street
East:	Residential/Snowcrest Jr. High	West:	Vacant

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794

Report Reviewer: SB

Applicable Ordinances

- Weber County LUC Title 104, Chapter 21 – Commercial Valley Zone (CV-2) Zone
- Weber County LUC Title 108, Chapter 1 - Design Review
- Weber County LUC Title 108, Chapter 16 – Ogden Valley Outdoor Lighting
- Weber County LUC Title 108, Chapter 8, Parking and Loading Space, Vehicle Traffic, and Access Regulations.
- Weber County LUC Title 110 Signs

Summary and Background

The applicant is requesting administrative design review approval of storage units. The proposal consists of six self-storage buildings with 184 total storage units. The applicant is proposing signage, and exterior lighting.

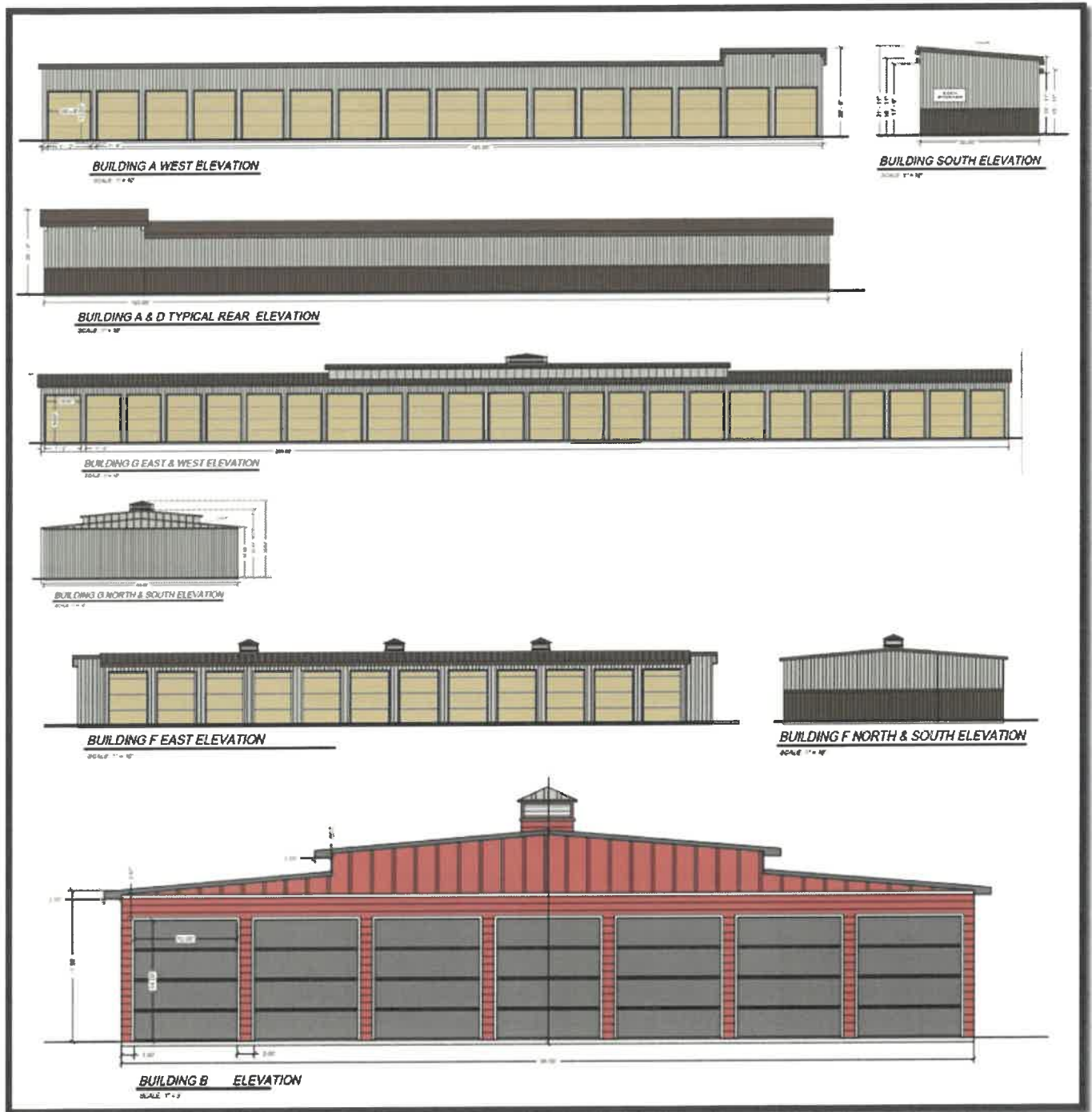
Analysis

Design Review: The CV-2 Zone requires a design review (as outlined in LUC §108-1) to ensure that the general design, layout, and appearance of commercial sites and buildings is orderly and harmonious with the surrounding neighborhood.

As part of a design review, the Planning Commission shall consider applicable codes and impose conditions that mitigate deficiencies if necessary. Consideration is given to the following:

- **Traffic safety and traffic congestion:**
 - The proposal is not anticipated to cause any traffic safety hazards. The existing access off of 2650 North Street will be used.
- **Outdoor advertising:**
 - The applicant has not yet submitted a signage plan. A signage plan will be required at building permit, and will be subject to Weber County LUC 108-10
- **Outdoor Lighting Plan:**
 - The applicant is showing seven light fixtures as part of their lighting plan (see Exhibit D). A more comprehensive lighting plan, subject to Weber County LUC 108-16, may be required at building permit.
- **Landscaping:**
 - Applicant has submitted a landscaping plan (see **Exhibit C**), however, landscaping shall conform to the development agreement (see **Exhibit F**). The applicant is proposing some transplanted turf and a few trees along the east side of the entrance off of 2650 North Street.
 - The applicant is required to install a solid fence, or to provide berming between this project and adjacent residential properties. The following is from the approved development agreement:
 - *An eight-foot earthen berm shall be constructed between the adjacent residential uses and the storage facility. Atop the berm, the Developer shall plant four eight-foot conifer trees of a species native to the Wasatch Mountains, and shall plant three deciduous trees of a native species well known for shade producing capabilities. The deciduous trees shall have a caliper of at least two inches when planted and the conifer trees shall be at least eight feet tall when planted. The trees shall be provided with an automatic irrigation system to support healthy growth. An eight-foot wall may be constructed in lieu of a berm. The vegetation required herein may be located on either side of the wall.*
- **Building and site layout:**
 - The site plan shows that the project area will be compliant with the following CV-2 development standards:
 - Minimum lot area: None;
 - Minimum lot width: None;
 - Minimum front yard setback: None
 - Minimum side yard setback: 10'
 - Minimum rear yard setback: 10'
 - Maximum Building Height: 35'

The following are images of the building elevations approved by the County Commission, in the development agreement. The elevations are intended to give a barn appearance, with materials generally used on barns. The red building is intended to provide architectural requirements for building b (building 2).



Development Standards:

Per the recorded development agreement, the following are required:

The developer agrees to maintain compliance with floodplain development requirements.

Construction shall not occur in phases. Certificate of occupancy shall not be issued until all structures are completed and all improvements installed or escrowed for.

A trail easement is being dedicated through a subdivision plat. The trail easement shall be located along the east side of the North Fork River, west of drive approach, and buildings shown on the site plan. The easement shall be of sufficient width to provide for a 10-foot wide paved pathway with appropriate shoulders to support pathway width.

The developer agrees that the buildings shall conform to the recorded development agreement. The development agreement requires submitted elevations that resemble historic barns typical for the area (Exhibit B), however, staff feel that changes to the building elevations contained in the development agreement may be minimal.

Roofs of all buildings shall be a non-reflective metal material that can develop a natural patina over time, or as otherwise approved by the Planning Commission.

The area of the site accessible to motor vehicles or watercraft shall be drained away from the river corridor. Drainage facilities shall be designed according to the approved development agreement.

The developer shall provide roughly their proportionate share of the cost of improvements to the intersection of Hwy 162 and Clark Land (2650 North Street), with conditions set forth in the development agreement.

The developer shall be responsible for installing curb, gutter, and a 10-foot wide sidewalk in the public right-of-way along the developer's property frontage of Clark Lane (2650 North Street), if this has not already been completed.

Fire District requirements shall be followed as per the development agreement.

The developer agrees there shall be no construction staging outside of the project site boundaries.

Parking – The proposed parking lot and travel surface is to be paved with asphalt (LUC 108-8-7). There are a total of 2 parking spaces.

All construction and development of this site shall adhere to the recorded development agreement.

The following minimum standards in the CV-2 Zone are as follows:

Lot area and width – none

Front setback – none

Side setback - 10 feet, except none if either: the owner has obtained a perpetual building maintenance contract, as provided in Section 104-20-4(e); or the building will abut a building on the adjoining lot or parcel.

Rear setback - 10 feet, except none if either: the owner has obtained a perpetual building maintenance contract, as provided in Section 104-21-4(e); or the building will abut a building on the adjoining lot or parcel.

Conformance to the General Plan

The proposal conforms to the Ogden Valley General Plan by continuing commercial development within existing commercial and village areas (pg. 25 Ogden Valley General Plan, Commercial Development Goal 1).

Staff Recommendation

Planning staff recommends approval of file# DR 2025-14, subject to all review agency requirements and the following conditions:

1. All exterior lighting, must comply, with the Outdoor Lighting requirements, as outlined in LUC§ 108-16, and will be verified at occupancy.
2. All proposed signage will be reviewed when a detailed signage plan is submitted for request of a land use permit. If no signage is proposed, then the developer needs to indicate this on the building permit application.
3. Development of this site shall conform to the recorded development agreement.
4. A perpetual maintenance agreement shall be recorded prior to c/o of the structure(s).
5. A business license shall be obtained prior to c/o of the structure(s).
6. The developer will provide a financial guarantee for all improvements including site and trail paving, landscaping, and fencing.

The recommendation for approval is based on the following findings:

1. The proposal complies with applicable County codes.
2. The proposed project conforms to the Ogden Valley General Plan.

Exhibits

- A. Application.
- B. Site Plan.
- C. Proposed Elevations.
- D. Proposed Landscaping Plan.
- E. Proposed Lighting & Signage Plan.
- F. Recorded Development Agreement.

Area Map



Exhibit A - Application

Eden Storage - Clark Street (Formerly Anderson - Design Review)

+ Add Follower	✎ Change Status	✎ Change Review Due Date	✎ Edit Project
--------------------------------	---------------------------------	--	--------------------------------

Address:	4690 E 2650 N, Eden, UT, 84310	Project Status:	Accepted
Maps:	Google Maps	Status Date:	8/11/2025
Project Type:	Design Reviews	File Number:	DR 2025-10
Sub Type:	Design Reviews	Project Manager	Tammy Aydelotte
Created By:	LANCE ANDERSON		
Created On:	10/25/2024		

Application	Documents 12	Comments 3	Reviews 3	Followers 12	History	Reminder 0	Payments 1
Internal 0							

Application

[+ Add Building](#) [+ Add Parcel](#) [✎ Edit Application](#) [+ Add a Contractor](#) [Print](#) [Building Permit](#)

Project Description

Self Storage Units

Property Address

4690 E 2650 N
Eden, UT, 84310

Property Owner

Jeff Allan
858-204-2131
jeffallan06@gmail.com

Representative

Lance Anderson
435-760-1622
lance@cachelandmark.com

Accessory Dwelling Unit

False

Current Zoning

C-2

Subdivision Name

Number of new lots being created

0

Lot Number

Lot Size

4.42

Frontage

Cullinary Water Authority

Eden Water Company

Secondary Water Provider

Sanitary Sewer Authority

Nearest Hydrant Address

Signed By

Owner, Jeff Allan

Parcel Number

[✖ Remove](#) 224070001 - [County Map](#)

Exhibit B - Site Plan

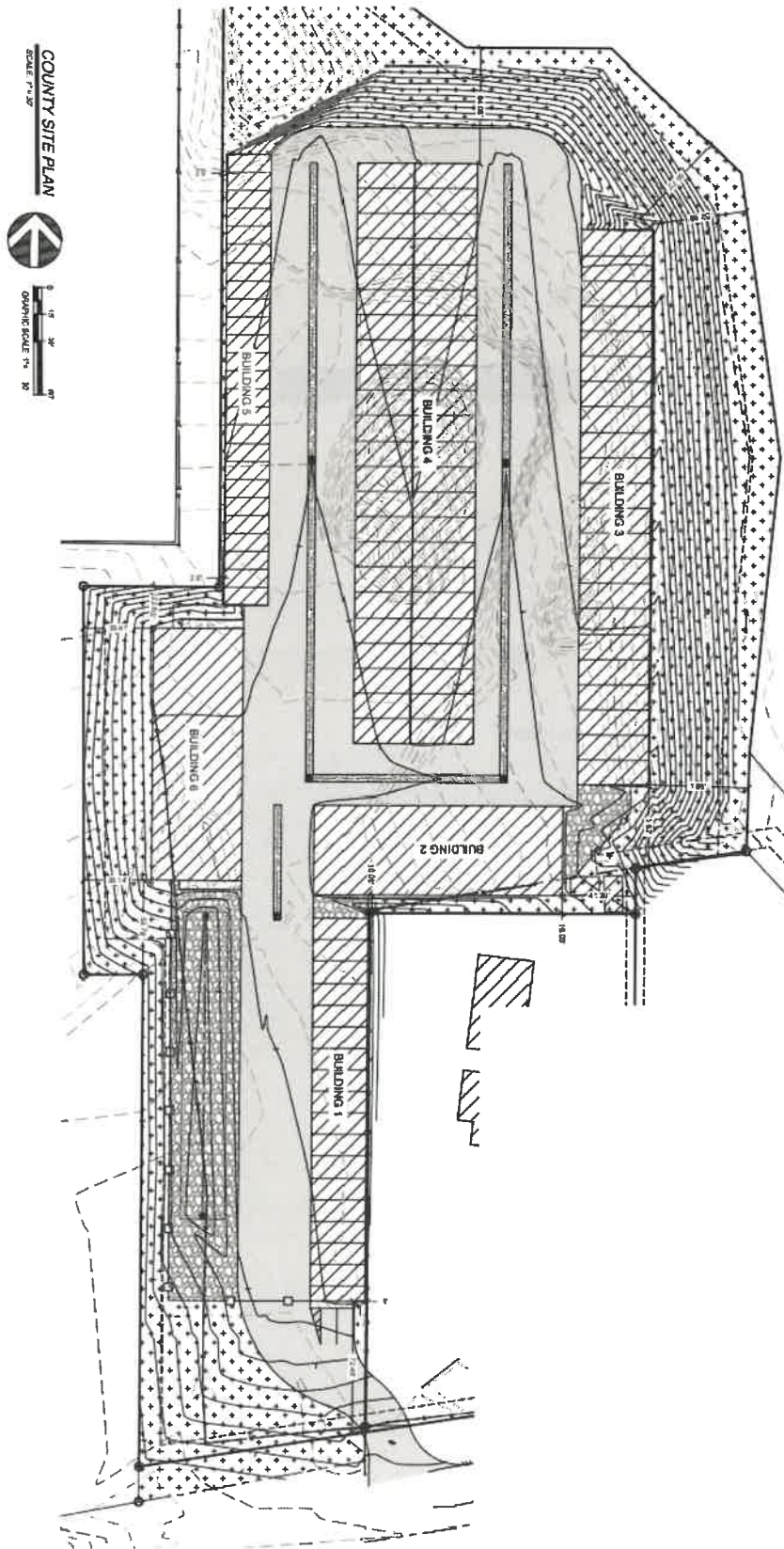
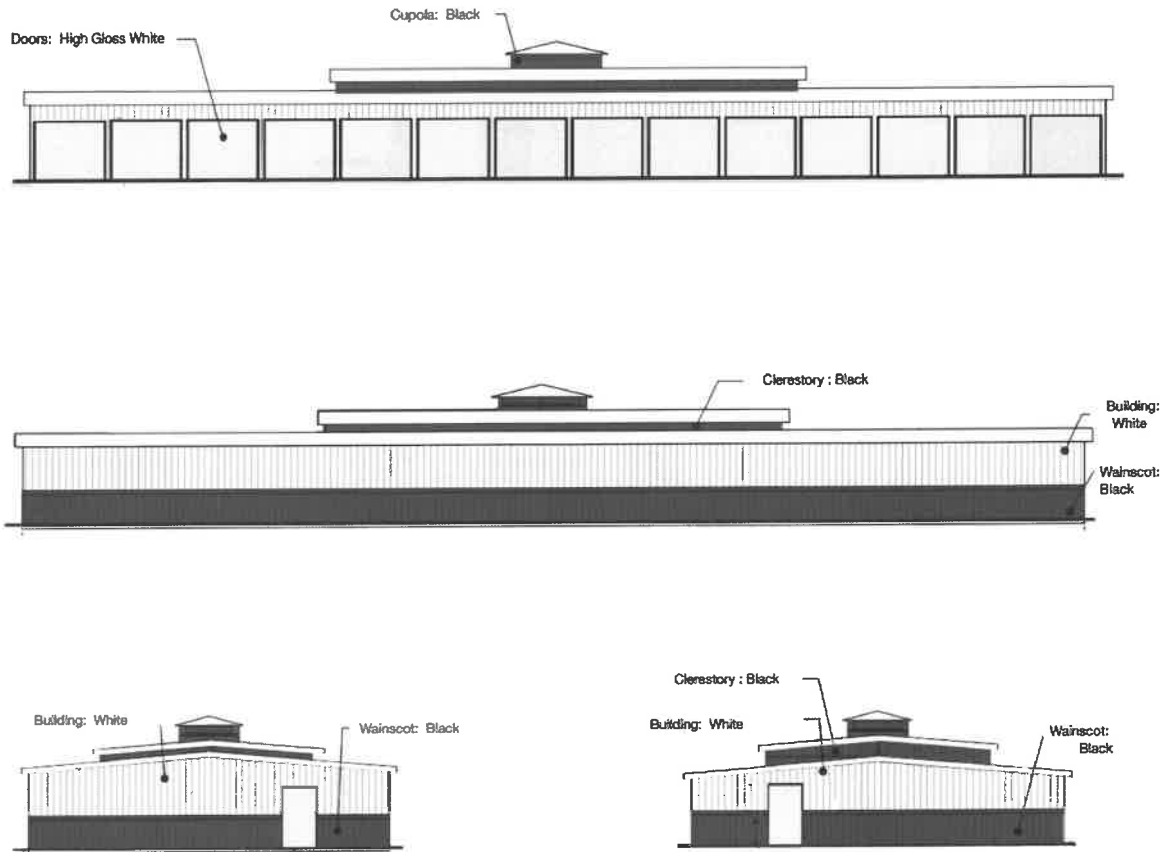


Exhibit C- Proposed Elevations

Engineered plans on file with Weber County.



EDEN STORAGE UNITS: EXTERIOR COLOR SCHEME (White & Black)

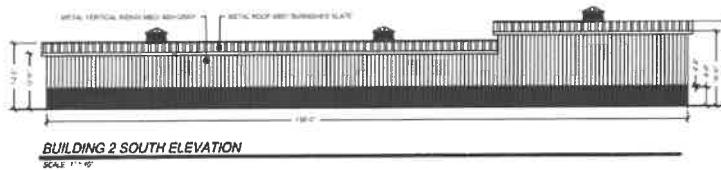
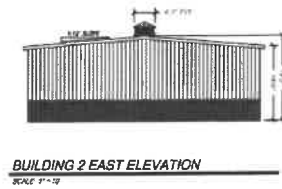
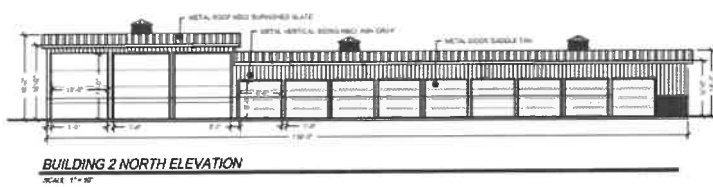
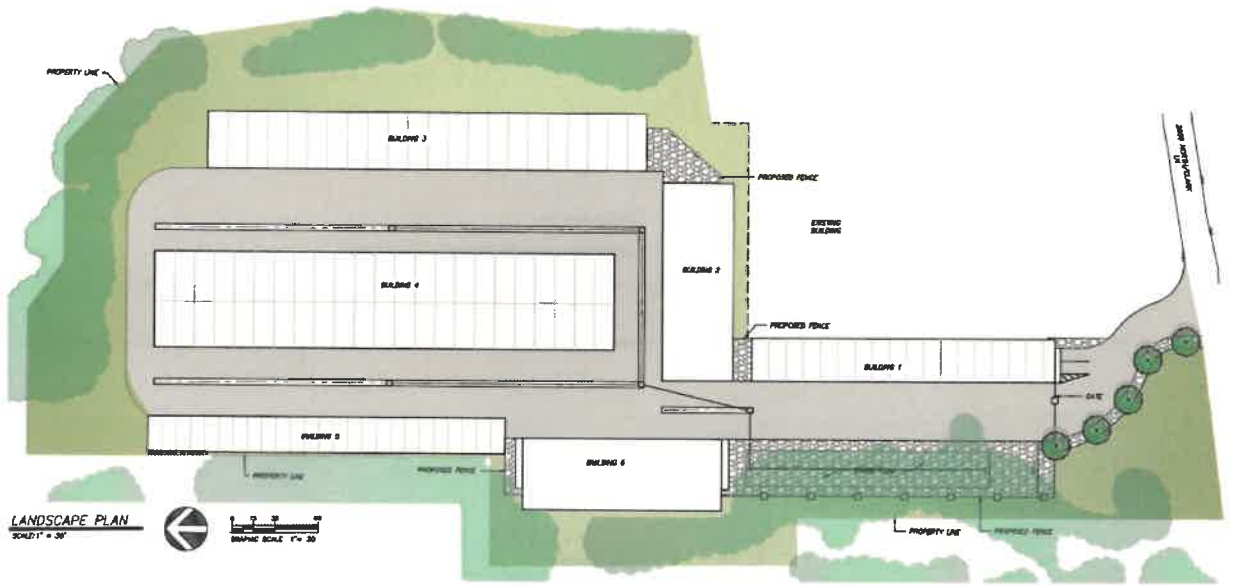


Exhibit D- Proposed Landscaping Plan



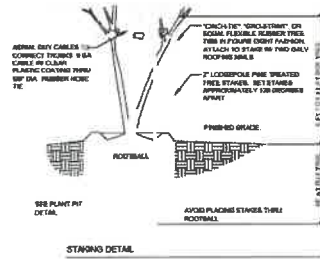
PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	QTY
	ACER DRAKULA	AMUR MAPLE	8

DETAIL 1
THIS SHEET

EXISTING VEGETATION SCHEDULE

	EXISTING VEGETATED AREA NATIVE VEGETATION TO BE RESTORED TO PREVIOUS CONDITION (CONTACT UTAH SEED BANK 801-539-3700 FOR RESTORATION SEED AND RECOMMENDATIONS AND APPLICATION INSTRUCTIONS)	66,402 SF
	EXISTING TREES TREES TO BE PROTECTED AS MUCH AS POSSIBLE. ALL TREES REMOVED DURING CONSTRUCTION ARE TO BE REPLACED WITH TREES OF SAME SPECIES	

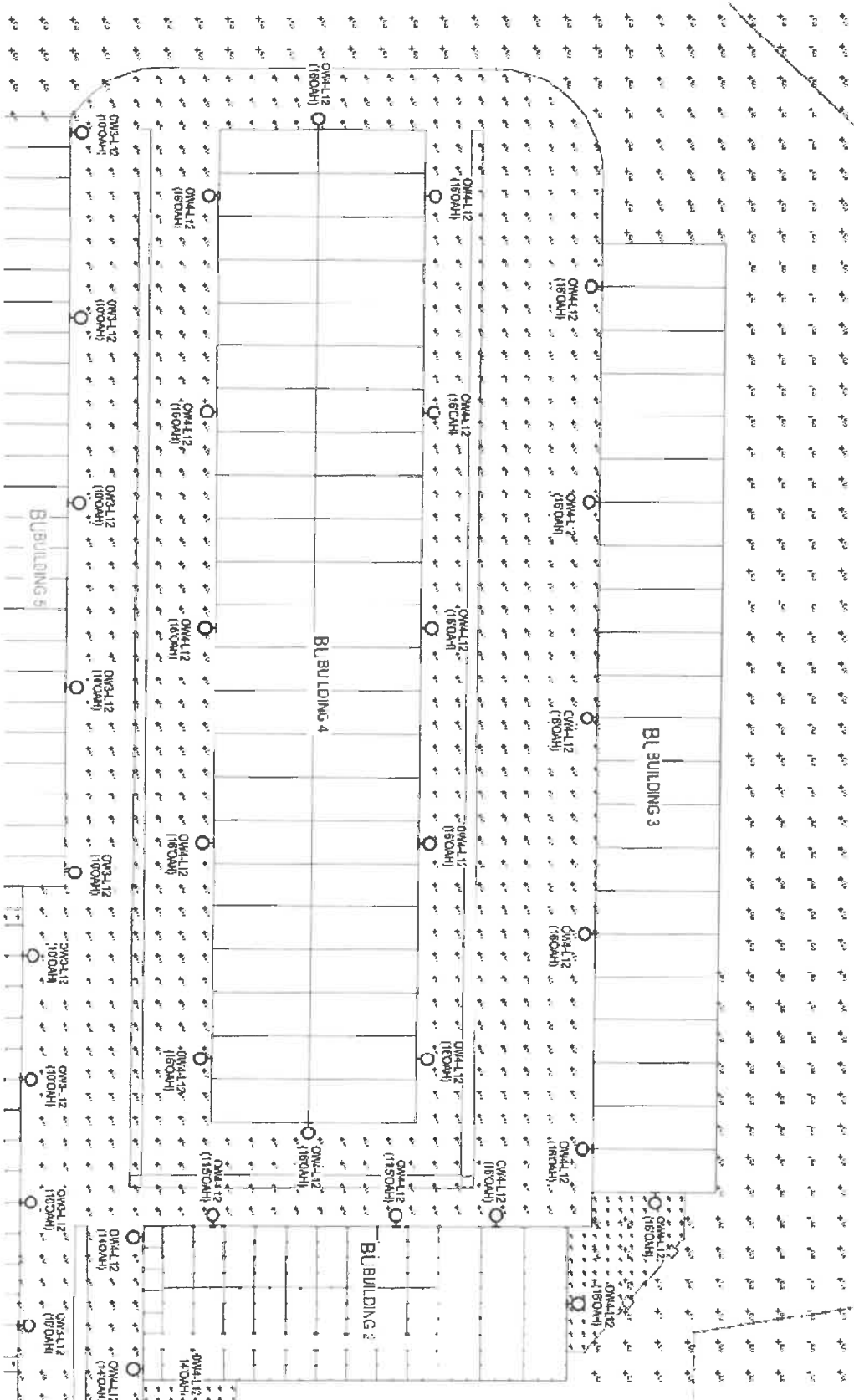


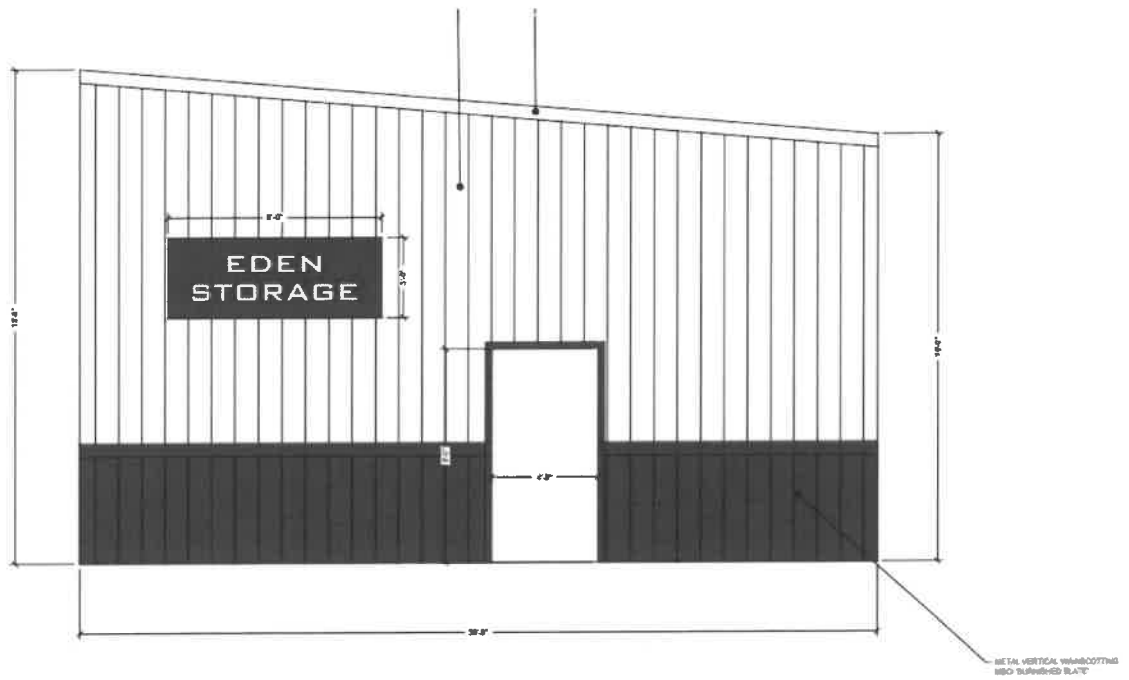
1 TREE PLANTING MULTI-STAKE

PLANTING NOTES

1. PLANTING PLAN IS DIAGRAMMATIC. CONTRACTOR SHALL VERIFY PLANT QUANTITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANT SYMBOLS AND QUANTITIES PRIOR TO PURCHASE ORDER.
2. AMENDED PLANT BACKFILL MATERIAL SHALL BE 12" DEEP AND BE A MIXTURE OF THREE (3) PARTS TOPSOIL TO ONE (1) PART PEAT MOSS AND SHALL BE MIXED ON SITE.
3. AUTOMATIC IRRIGATION SYSTEM REQUIRED FOR SOD AREA AND TO BE PROVIDED BY CONTRACTOR (DESIGN-BUILD). CONTRACTOR TO INSTALL BACKFLOW PREVENTION TO MEET STATE AND LOCAL STANDARDS.

Exhibit E - Lighting and Signage Plan





BUILDING 1 SOUTH ELEVATION AND SIGNAGE
 SCALE 1" = 10'

Exhibit F- Development Agreement

See following pages.



W3230208

E# 3230208 PG 1 OF 20
Leann H. Kilts, WEBER COUNTY RECORDER
15-Apr-22 0938 AM RECORDED AT WEBER COUNTY
\$40.00 PAID VIA CASH/CHECK/CREDIT CARD
REC FOR: WEBER COUNTY SUBMITTER ACCOUNT

AMENDED DEVELOPMENT AGREEMENT

Between

WEBER COUNTY, UTAH

and

The owner of property known as the Eden RV and Boat Storage, NOAL Holdings, LLC

List of Attachments

Attachment A: Project Area Legal Description and Graphic Depiction

Attachment B: Proposed Site Layout

Attachment C: Design and Materials Palette

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AGREEMENT 3

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Attachment C 19

Attachment C (Cont.).....**Error! Bookmark not defined.**

DEVELOPMENT AGREEMENT**Eden Boat and RV Storage**

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between Weber County, Utah ("County") and NOAL Holdings, LLC ("Developer"), known together herein as the "Parties."

RECITALS

PCV DB **WHEREAS**, The Developer desires and intends to develop an indoor storage unit facility (the "Project") in the unincorporated area of Weber County known as Eden. Key components of the Project include completely enclosed buildings designed to appear agrarian in nature, which will be used for indoor storage for items such as vehicles, trailers, and household items; driveways and drive access to each storage unit; and landscaping;

WHEREAS, NOAL Holdings, LLC is engaged in a joint venture to develop the Project, and is known herein as the Developer;

WHEREAS, The Developer's objective is to develop a storage unit facility that incorporates building and site designs that complement the character of the community and is financially successful;

WHEREAS, The County's objective is to approve only development that supports and advances the health, safety, and welfare of the community, as generally described in the general plan and as otherwise determined appropriate by the Board of County Commissioners; and

WHEREAS, The Project will be located on land referred to herein as the "Project Site". The Project Site is as more specifically described in **Attachment A: Project Area Legal Description and Graphic Depiction**. A site plan showing the general location and layout of the Project is contained in **Attachment B Proposed Site Layout**, and architectural and design detail is contained in **Attachment C: Design and Materials Palette**.

NOW, THEREFORE, in consideration of the recitals (which are incorporated into the Agreement by this reference) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT**1. Effective Date, Expiration, Termination.**

- 1.1. Effective Date.** The Effective Date of this Agreement is the last date upon which it is signed by any of the Parties hereto.
- 1.2. Expiration.** This Agreement shall be in full force and effect until (10) years from the Effective Date of this Agreement, at which point this Agreement shall expire.
- 1.3. Termination.** This Agreement may be terminated by mutual written agreement of the Parties to this Agreement or terminated pursuant to Section 10 of this Agreement. This Agreement automatically terminates, without notice, in the following circumstances:
 - 1.3.1.** The term of this Agreement expires;
 - 1.3.2.** The Project is abandoned or the use is discontinued, as provided for by Weber County Code Chapter 108-12; or

- 1.3.3.** The Developer defaults on any provision of this Agreement and the default is not resolved as specified in Section 13 of this Agreement.

2. Definitions and Interpretation.

For purposes of this Agreement, the following terms, phrases, words, and their derivations shall have the meaning given herein where capitalized; words not defined herein shall have their ordinary and common meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, and the use of any gender shall be applicable to all genders whenever the sense requires. The words "shall" and "will" are mandatory and the word "may" is permissive. References to governmental entities (whether persons or entities) refer to those entities or their successors in authority. If specific provisions of law referred to herein are renumbered, then the reference shall be read to refer to the renumbered provision.

- 2.1. Agreement.** "Agreement" means this Development Agreement between County and Developer, approved by the Board of County Commissioners, and executed by the undersigned.
- 2.2. County.** "County" means Weber County, Utah.
- 2.3. Construction Buildout Period.** "Construction Buildout Period" has the meaning set forth in Section 7.19 of this Agreement.
- 2.4. Developer.** "Developer" means NOAL Holdings, LLC, or any of their Assignees as provided in Section 11 of this Agreement.
- 2.5. Development Standards.** "Development Standards" means the requirements stated in Section 7 of this Agreement.
- 2.6. Effective Date.** "Effective Date" has the meaning set forth in Section 1 of this Agreement.
- 2.7. Force Majeure Event.** "Force Majeure Event" means any event beyond the reasonable control of the affected Party that directly prevents or delays the performance by such Party of any obligation arising under this Agreement, including an event that is within one or more of the following categories: condemnation; expropriation; invasion; plague; drought; landslide; tornado; hurricane; tsunami; flood; lightning; earthquake; fire; explosion; epidemic; quarantine; war (declared or undeclared), terrorism or other armed conflict; material physical damage to the Project caused by third Parties; riot or similar civil disturbance or commotion; other acts of God; acts of the public enemy; blockade; insurrection, riot or revolution; sabotage or vandalism; embargoes; and, actions of a governmental or judicial authority.
- 2.8. Parties.** "Parties" means the Developer and the County.
- 2.9. Project.** "Project" means the Eden Boat and RV Storage facility as set forth in the exhibits hereto.
- 2.10. Project Site.** "Project Site" means the land area on which the Project will actually be sited, as more specifically described in Attachment A: Project Area Legal Description and Graphic Depiction.
- 2.11. Routine and Uncontested.** "Routine and Uncontested" means simple and germane to the Project or Project Site, having very little chance of effect on the character of the area, and not anticipated to generate concern from the public.
- 2.12. Substantial Completion.** "Substantial Completion" means the Project is constructed, installed, and a valid business license has been obtained from the county.
- 2.13. Transferee.** A party to which the Project is transferred or assigned in part or in whole. "Assignee"

shall also mean the same.

- 2.14. Vested Laws.** "Vested Laws" means the land use laws, Part II of the Weber County Code, in effect at the time of execution of this Agreement.

3. Omitted

4. Project Description.

The Project is an indoor storage unit facility.

5. Project Location and Illustration.

The Project is as described herein, and illustrated in Attachment B: Proposed Site Layout and Attachment C: Proposed Site Layout – Parcel Boundary Overlay, modified as necessary in accordance with this Agreement's Development Standards.

6. Vesting.

- 6.1.** Except as otherwise noted, this Agreement vests the Project and Project Site to the existing Vested Laws until the expiration or termination of this Agreement, or until the Developer has fully developed the Project as proposed herein, whichever is earlier.
- 6.2.** Developer agrees that the intent of this vesting is to offer a predictable set of development standards related to the development and establishment of the use. To that effect, Developer agrees that if the County modifies its laws in the future to specifically regulate the use or any other related performance measure, after the time provided in Section 6.1, the Project shall be subject to the new laws. This shall not affect any established nonconforming rights of the use, location, method of construction, acreage requirement, setback requirement, or height requirement of any building, structure, or internal site roadway, as may be applicable.

7. Development Standards.

- 7.1. Use of Property.** The use of the property shall be limited to indoor storage units only. Indoor storage units is a use allowed in the CV-2 zone by conditional use permit. The parties agree that the conditional use requirements have been met with the execution of this development agreement. Therefore, the County, by use of its legislative authority, designates the use of indoor storage units on the Project Site as a permitted use, subject to the requirements of this agreement.
- 7.2. Fair Share Intersection Improvements.** The Developer shall provide their roughly proportionate share of the cost of improvements to the intersection of Highway 162 and Clark Lane. When required by the County Engineer, a detailed study shall be provided by the Developer that establishes a traffic demand threshold that will trigger the need to improve the intersection, and will establish what the developer's roughly proportionate share of traffic demand is. This share shall equal the Developer's share of the cost of improving the intersection.
- 7.3. Improvements of Clark Lane.** The Developer shall be responsible for installing curb, gutter, and a 10-foot wide sidewalk in the public right-of-way along the Developer's property frontage of Clark Lane. At the time of subdivision of the property, the Developer agrees to dedicate the

future extension of Clark Lane (2650 N. Street) to Weber County. Weber County agrees that this extension will not be of a width greater than is reasonably necessary given the current right-of-way width and alignment where it stubs into the property. The Developer agrees that the dedication will extend from the current western end of the County's ownership, westward until it stubs to the adjacent parcel.

- 7.4. Waste water disposal.** No grey or black water dumping shall be allowed on the site without a dump station that meets all requisite standards and regulations for the location.
- 7.5. Waste water disposal and watercraft decontamination signage.** A sign shall be posted in a conspicuous manner at the entrance of the facility that notifies renters that there are no wastewater dumping facilities onsite. The sign shall also notify patrons that watercraft must be drained, decontaminated, and cleaned prior to entry of the site.
- 7.6. No effect on drinking water.** The use shall not have any negative effect on the drinking water quality of the nearby wells of Eden Water Works, or any other culinary water source in the area.
 - 7.6.1. Work with Eden Water Works.** In the event that Eden Waterworks or any other potentially affected culinary water authority determines that ground water infiltration from the site is not capable of being diluted and/or filtered to drinking water standards adopted by the Utah Department of Environmental Quality before it enters a drinking water source, then the Developer bears the burden of constructing remediating drainage facilities prior to conducting any further business onsite or allowing any further access to the site.
 - 7.6.2. Threat to Drinking Water.** If groundwater infiltration onsite constitutes an immediate threat to a drinking water source, all activities onsite, including access, shall cease until the threat is remediated. This remediation shall be conducted by the Developer, at no expense to the culinary water authority.
 - 7.6.3. Scientific Evidence Gathering.** The County recognizes and agrees that the culinary water authority bears the burden of demonstrating through scientifically reproducible means, based on site specific evidence gathering, including, if necessary, subterranean hydrologic or hydrogeologic exploration, that the soil types and/or drainage methods on the site are incapable of protecting the drinking water source(s). The Developer agrees to allow the culinary water authority reasonable access to the site to conduct the investigations or inspections they may deem necessary to maintain a clean drinking water source. If onsite subterranean investigations are conducted prior to initiation of construction, the Parties recognize and agree that it is the culinary water authority's responsibility to bear the evidence-gathering expenses, and the parties agree that the Developer shall bear the cost to restore the evidence-gathering site(s). If the onsite subterranean investigations are desired after initiation of construction, and if the Developer has notified the culinary water authority two weeks prior to initiation of construction, the Parties agree that it is the culinary water authority's responsibility to bear the full cost of evidence gathering. The Developer and the culinary water authority may make alternative agreements to achieve these ends, as they deem mutually beneficial.
- 7.7. Drainage facilities.** The areas of the site accessible to motor vehicles or watercraft shall be drained away from the river corridor. The drainage facility shall be constructed with an oil-grit separator if required by the County Engineer. Best management practices for invasive mussel mitigation shall be employed, if necessary, as may be recommended by the appropriate State Department of Natural Resources personnel.
- 7.8. Fire protection.** If deemed necessary by the local fire authority, each building shall be fire-

sprinkled such that each unit has at least one sprinkler head, or as may be otherwise required by the fire code or the local fire authority.

7.8.1. If a fire hydrant is not already within an acceptable proximity from the site, as determined by the local fire authority, the Developer shall install a water trunk line no less than 8 inches in diameter, or as otherwise specified by the local fire authority or County Engineer, from the nearest hydrant to the site, and shall install a hydrant onsite or in the adjoining public right-of-way, as may be deemed appropriate by the local fire authority.

- 7.9. Site obscuring berm or wall.** An eight-foot earthen berm shall be constructed between the adjacent residential uses and the storage facility. Atop the berm, the Developer shall plant four eight-foot conifer trees of a species native to the Wasatch Mountains, and shall plant three deciduous trees of a native species well known for shade producing capabilities. The deciduous trees shall have a caliper of at least two inches when planted and the conifer trees shall be at least eight feet tall when planted. The trees shall be provided with an automatic irrigation system to support healthy growth. An eight-foot wall may be constructed in lieu of a berm. The vegetation required herein may be located on either side of the wall.
- 7.10. Riparian corridor and tree-line protection.** Buildings and other improvements shall be setback from the highwater line of the North Fork River, as provided by County Code, and the Developer shall maintain the riparian corridor in good health. As specified in the landscape plan, the Developer shall protect existing trees that line the perimeter of the project area, with special attention to protecting the trees along the river corridor. The Developer shall take a photo inventory of existing trees, identify those that will be removed, and submit the inventory to planning staff prior to any site work. For every tree that will be removed to make way for the development, another of the same species shall be planted on the site.
- 7.11. Noxious weeds.** The storage unit Developer shall be responsible for regular monitoring and removal of noxious weeds on the site.
- 7.12. Outdoor storage.** There shall be no outdoor storage permitted on the site.
- 7.13. Omitted.**
- 7.14. Art and Culture Contribution.** The Developer agrees to pursue opportunities with the Ogden Valley Starry Night organization to provide possible façade space for a future Starry Night mural.
- 7.15. Phasing.** The Parties agree that no phasing plan has been approved as a part of this agreement. Additional phases will require considerations at the time they are proposed.
- 7.16. Floodplain Development.** The Developer agrees to maintain compliance with floodplain development requirements.
- 7.17. Trail Corridor Preservation.** Prior to commencement of construction, the Developer agrees to convey a trail easement to the County that runs along the east side of the North Fork River, west of drive approach and buildings shown on the site plan. The easement shall be located along an alignment that will provide optimal convenience for future trail building, and shall be of sufficient width to provide for a 10-foot paved pathway with appropriate shoulders to support the pathway width.
- 7.18. Architectural standards.** The Developer agrees that the buildings will be designed as provided in Attachment C.
- 7.19. Construction Staging and Construction Buildout Period.** Developer agrees there will be no construction staging outside of the Project Site boundaries, except what is reasonable and

necessary for the construction of the driveway access or to fulfill any requirements of law. County agrees that Developer is allowed to construct the Project such that Substantial Completion is achieved no later than 5 years from the date that all permits necessary to construct the Project are obtained in final form, but in no event later than 6 years from the Effective Date of this Agreement (the "Construction Buildout Period"), unless construction is delayed by a Force Majeure Event.

- 7.20. Sanitary Sewer and Culinary Water.** Developer agrees to satisfy the requirements of the Weber Morgan Health Department, if any, regarding sanitary sewer and culinary water provisions for the site.
- 7.21. Permits.** Developer agrees to obtain all necessary federal, state, and local permits required prior to any work onsite, including but not limited to building permits, storm water pollution prevention permits, right-of-way encroachment permits, and Army Corps of Engineers permits.

8. Amendments and Revisions.

This Agreement may be amended by mutual agreement of the Parties only if the amendment is in writing and approved and signed by Developer and County (an "Amendment"). The following sections specify what Project changes can be undertaken without the need for amendment of the Development Agreement, and what changes require Amendment to this Agreement.

- 8.1. Project Facility Repair, Maintenance and Replacement.** Developer shall be permitted to repair, maintain and replace the Project and its components consistent with the terms of this Agreement without amending the Agreement.
- 8.2. Authorized Changes, Enlargements, or Alterations.** As set forth below, County staff may review and approve certain minor changes, enlargements or adjustments ("Changes") to the Project in their respective administrative capacities. The following types of Changes are considered minor, provided that no such Changes shall directly or indirectly result in significantly greater impacts than those contemplated in the approval of this Agreement.
- 8.2.1. Changes Necessary to Comply with Other Laws.** Any resulting changes as a consequence of obtaining or complying with a federal, state, or local permit or approval; provided that the changes are routine and uncontested and the application thereof does not materially affect the County's original intent, findings, or conditions on the Project in a manner that would have likely resulted in a different decision on this Agreement, as determined by the Planning Director.
- 8.2.2. De Minimis Changes.** Other de minimis changes requested by the Developer, which are reasonably consistent with the intent of this agreement and the CV-2 rezone, and are routine and uncontested.

9. Omitted.

10. Termination.

In addition to what is stated in paragraph 1.3, the following termination provisions apply:

- 10.1. Developer's Option.** Developer shall have the option, in its sole discretion, to terminate this Agreement prior to Substantial Completion of the Project, provided such termination will not relieve the Developer of any obligation owed the County under the terms of this Agreement and outstanding at the time of such termination. If it elects to terminate this Agreement, Developer shall submit a Notice to this effect to County at least thirty (30) days prior to such termination.

- 10.2. Zoning Reversion.** The Parties agree that this agreement and the rezone of the property from the AV-3 zone to the CV-2 zone are inextricably related. The Parties agree that the termination of this agreement shall result in the reversion of the Property back to the rights, standards, and regulations of the AV-3 zone. At that time, any established nonconforming right may continue as provided by law, but no new right may be established unless it complies with the AV-3 zone.

11. General Provisions.

- 11.1. Assignability.** The rights and responsibilities of Developer under this Agreement may be assigned as provided herein.
- 11.1.1. Total Assignment of Project and Project Site.** The Developer, as the landowner of the Project Site at the time of the execution of this agreement, may sell, convey, reassign, or transfer the Project Site or Project to another entity at any time, provided any division of land, if applicable, complies with County Laws.
- 11.1.2. Partial Assignment of Project Site.** A partial assignment of the Project Site is prohibited under this Agreement. The Project Site shall be continuously owned under the ownership of Developer and assignees, until this agreement is Terminated.
- 11.2. Binding Effect.** This Agreement shall be binding upon the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns, devisees, administrators, representatives, lessees and all other persons or entities acquiring all or any portion of the Project, any lot, parcel or any portion thereof within the Project Site, or any interest therein, whether by sale, operation of law, devise, or in any manner whatsoever.
- 11.3. Utah Law.** This Agreement is entered into under the laws of the State of Utah, and the Parties hereto intend that Utah law shall apply to the interpretation hereof.
- 11.4. Authority.** Each Party represents and warrants that it has the respective power and authority, and is duly authorized, to enter into this Agreement on the terms and conditions herein stated, and to execute, deliver and perform its obligations under this Agreement.
- 11.5. Duty to Act Reasonably and in Good Faith.** Unless otherwise expressly provided, each party shall act reasonably in giving consent, approval, or taking any other action under this Agreement. The Parties agree that each of them shall at all times act in good faith in order to carry out the terms of this Agreement and each of them covenants that it will not at any time voluntarily engage in any actions which frustrate the purpose and intent of the Parties to develop the Project in conformity with the terms and conditions specified in this Agreement.
- 11.6. Communication and Coordination.** The Parties understand and agree that the process described in this Agreement depends upon timely and open communication and cooperation between the Parties. The Parties agree to use best efforts to communicate regarding issues, changes, or problems that arise in the performance of the rights, duties and obligations hereunder as early as possible in the process, and not wait for explicit due dates or deadlines. Each party agrees to work cooperatively and in good faith toward resolution of any such issues.
- 11.7. Force Majeure Event.** A Force Majeure Event shall be promptly addressed by Developer. County agrees to offer a reasonable period for Developer to cure the effect of the event given the extent of the effect on the Project and the Developer's ability to redress the effect.

12. Notices.

- 12.1. Written Notice.** Any notice, demand, or other communication ("Notice") given under this

Agreement shall be in writing and given personally or by registered or certified mail (return receipt requested). A courtesy copy of the Notice may be sent by facsimile transmission or email.

12.2. Addresses. Notices shall be given to the Parties at their addresses set forth as follows:

If to the County: Weber County Commission 2380 Washington Blvd, Ste #360 Ogden, UT 84401	With copies to: Weber County Attorney 2380 Washington BLVD, Ste. #230 Ogden, UT 84401 Weber County Planning Director 2380 Washington BLVD, Ste. #240 Ogden, UT 84401
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If to Developer:

NOAL Holdings, LLC
6895 E 200 S
Eden, UT 84310

- 12.3. Notice Effect.** Notice by hand delivery shall be effective upon receipt. If deposited in the mail, notice shall be deemed delivered forty-eight (48) hours after deposited. Any party at any time by Notice to the other party may designate a different address or person to which such notice or communication shall be given.

13. Default and Remedies.

- 13.1. Failure to Perform Period.** No Party shall be in default under this Agreement unless it has failed to perform as required under this Agreement for a period of thirty (30) days after written notice of default from the other Party. Each notice of default shall specify the nature of the alleged default and the manner in which the default may be cured satisfactorily. If the nature of the alleged default is such that it cannot be reasonably cured within the thirty (30) day period, then commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure of the alleged default.
- 13.2. Remedies.** The Developer's failure to comply with this agreement constitutes a violation of the Land Use Code of Weber County, and is subject to the enforcement provisions and remedies thereof. In addition, the County may withhold any permits from the Project Site.
- 13.3. Dispute Resolution Process.**
- 13.3.1. Conference.** In the event of any dispute relating to this Agreement, the Parties, upon the request of either Party, shall meet within seven (7) calendar days to confer and seek to resolve the dispute ("Conference"). The Conference shall be attended by the following parties: (a) the County shall send department director(s) and County employees and contractors with information relating to the dispute, and (b) Developer shall send Developer's representative and any consultant(s) with technical information or expertise related to the dispute. The Parties shall, in good faith, endeavor to resolve their disputes through the Conference.
- 13.3.2. Mediation.** If this Conference process does not resolve the dispute within the 7-day Conference period, the Parties shall in good faith submit the matter to mediation. The

Parties shall send the same types of representatives to mediation as specified for the "Conference" process. Additionally, the Parties shall have representatives present at the mediation with full authority to make a settlement within the range of terms being discussed, should settlement be deemed prudent. The mediation shall take place within 45 days of the Parties submitting the dispute to mediation. If the dispute is not able to be resolved through the mediation process in the 45-day period, the Parties may pursue their legal remedies in accordance with Utah and local law.

14. Entire Agreement.

This Agreement, together with all Attachments hereto, constitutes the entire Agreement between the Parties with respect to the subject matter of this Agreement. This agreement is specifically intended by the Parties to supersede all prior agreements between them, whether written or oral.

15. Counterparts.

This Agreement may be executed in several counterparts and all so executed shall constitute one agreement binding on all the parties, notwithstanding that each of the parties are not signatory to the original or the same counterpart. Further, executed copies of this Agreement delivered by facsimile or by e-mail shall be deemed originally signed copies of this Agreement.

IN WITNESS HEREOF, the Parties hereto, having been duly authorized, have executed this Agreement.

(Signatures on following pages)

SIGNATORIES

"County"

Weber County, a body corporate and politic of the State of Utah

By: *Scott K. Jenkins*
Chair, Weber County Commission

DATE: *4/07/2022*

ATTEST: *Ricky D. Hatch*

Ricky D. Hatch, CPA
Weber County Clerk/Auditor



"Developer"
NOAL Holdings, LLC

By: Jeff Allan
 Print Name: Jeffrey Allan
 Title: President

DATE: 4-14-22

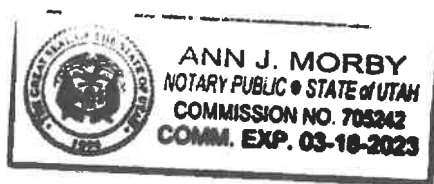
Developer Acknowledgment
(Corporation)

State Of Utah)
)ss.
 County Of Weber)

On the 14 day of April, 2022, personally appeared before me
Ann J. Morby, who being by me duly sworn, did say that he is
 the President of NOAL Holdings, LLC, a limited liability
 company, and that the foregoing instrument was signed in behalf of said corporation by authority of its
 members or its articles of organization; and said person acknowledged to me that said limited liability
 company executed the same.

3-18-23
 My Commission Expires:

Weber County
 Notary Public, residing in



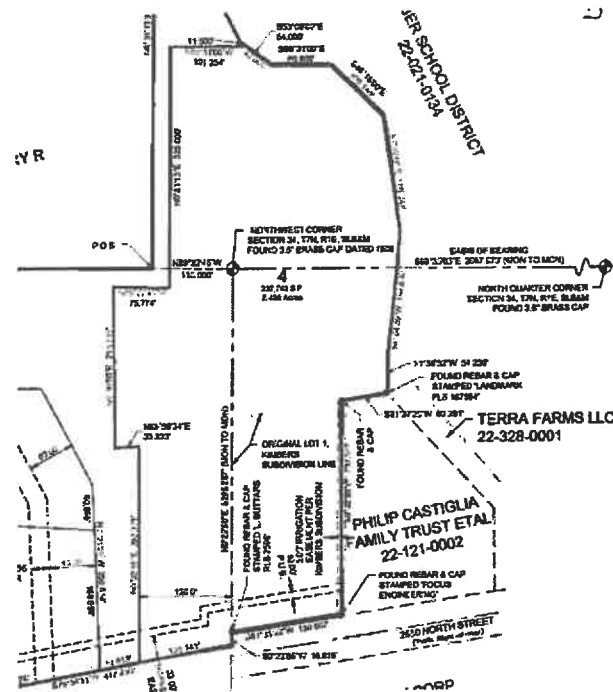
Attachment A**Project Area Legal Description and Graphic Depiction**

All of the property described as follows:

Beginning at the Northmost Corner of Kimbers Subdivision, recorded as Entry 1353660 in Book 40 at Page 22 in the Office of the Weber County Recorder, said point lies South 89°35'03" East 208.621 feet along the Section Line and South 169.464 feet from the Northwest Corner of Section 34, Township 7 North, Range 1 East, Salt Lake Base and Meridian and running thence along said Kimbers Subdivision South 81°27'25" West 62.291 feet to the Northeast Corner of Lot 1 of said Kimbers Subdivision; thence along said Lot 1 the following (2) courses: 1) South 00°22'55" West 290.569 feet; 2) South 81°31'22" West 150.002 feet to the West Line of the Northwest Quarter of said Section 34; thence along said West Line South 00°22'55" West 16.015 feet; thence South 79°54'11" West 128.141 feet; thence North 00°22'55" East 292.378 feet; thence South 89°56'34" West 33.393 feet; thence North 215.793 feet; thence South 89°22'45" East 75.774 feet; thence North 00°31'13" East 325.000 feet; thence South 89°31'00" East 101.354 feet to the centerline of a canal; thence along said canal the following (5) courses: 1) South 53°09'00" East 42.500 feet; 2) South 89°31'00" East 80.800 feet; 3) South 46°15'00" East 100.140 feet; 4) South 07°49'00" East 159.240 feet; 5) South 06°04'39" West 164.530 feet; thence South 01°56'52" West 54.280 feet to the point of beginning.

Property contains 5.458 acres.

22-040-0036 NP

Attachment A (Cont.)**Project Area Legal Description and Graphic Depiction**

Beginning at the Northmost Corner of Kimbers Subdivision, recorded as Entry 1353660 in Book 40 at Page 22 in the Office of the Weber County Recorder, said point lies South $89^{\circ}35'03''$ East 208.621 feet along the Section Line and South 169.464 feet from the Northwest Corner of Section 34, Township 7 North, Range 1 East, Salt Lake Base and Meridian and running thence along said Kimbers Subdivision South $81^{\circ}27'25''$ West 62.291 feet to the Northeast Corner of Lo1 of said Kimbers Subdivision; thence along said Lot 1 the following (2) courses: 1) South $00^{\circ}22'55''$ West 290.569 feet; 2) South $81^{\circ}31'22''$ West 150.002 feet to the West Line of the Northwest Quarter of said Section 34; thence along said West Line South $00^{\circ}22'55''$ West 16.015 feet; thence South $79^{\circ}54'11''$ West 128.141 feet; thence North $00^{\circ}22'55''$ East 292.378 feet; thence South $89^{\circ}56'34''$ West 33.393 feet; thence North 215.793 feet; thence South $89^{\circ}22'45''$ East 75.774 feet; thence North $00^{\circ}31'13''$ East 325.000 feet; thence South $89^{\circ}31'00''$ East 101.354 feet to the centerline of a canal; thence along said canal the following (5) courses: 1) South $53^{\circ}09'00''$ East 42.500 feet; 2) South $89^{\circ}31'00''$ East 80.800 feet; 3) South $46^{\circ}15'00''$ East 100.140 feet; 4) South $07^{\circ}49'00''$ East 159.240 feet; 5) South $06^{\circ}04'39''$ West 164.530 feet; thence South $01^{\circ}56'52''$ West 54.280 feet to the point of beginning.

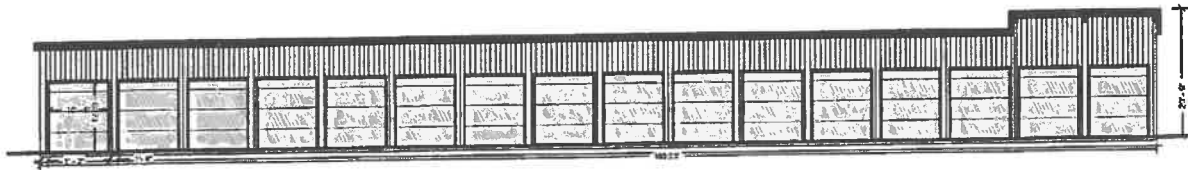
Property contains 5.458 acres.



Attachment C

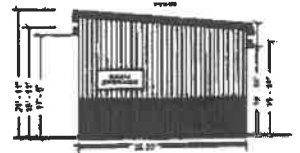
Building Design and Materials

(Colors to be of muted earth tones unless otherwise displayed herein)



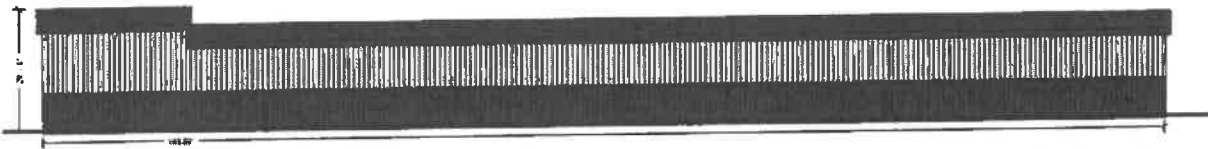
BUILDING A WEST ELEVATION

SCALE: 1" = 12'



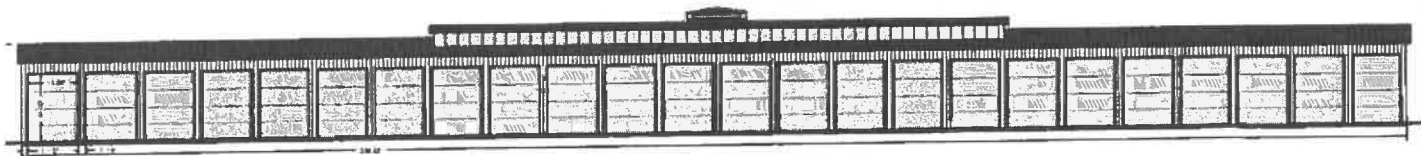
BUILDING SOUTH ELEVATION

SCALE: 1" = 12'



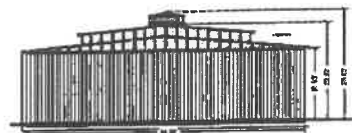
BUILDING A & D TYPICAL REAR ELEVATION

SCALE: 1" = 12'



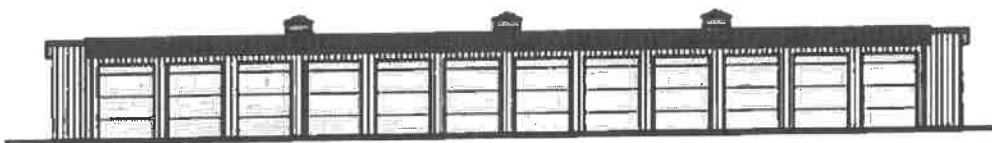
BUILDING G EAST & WEST ELEVATION

SCALE: 1" = 12'



BUILDING G NORTH & SOUTH ELEVATION

SCALE: 1" = 12'



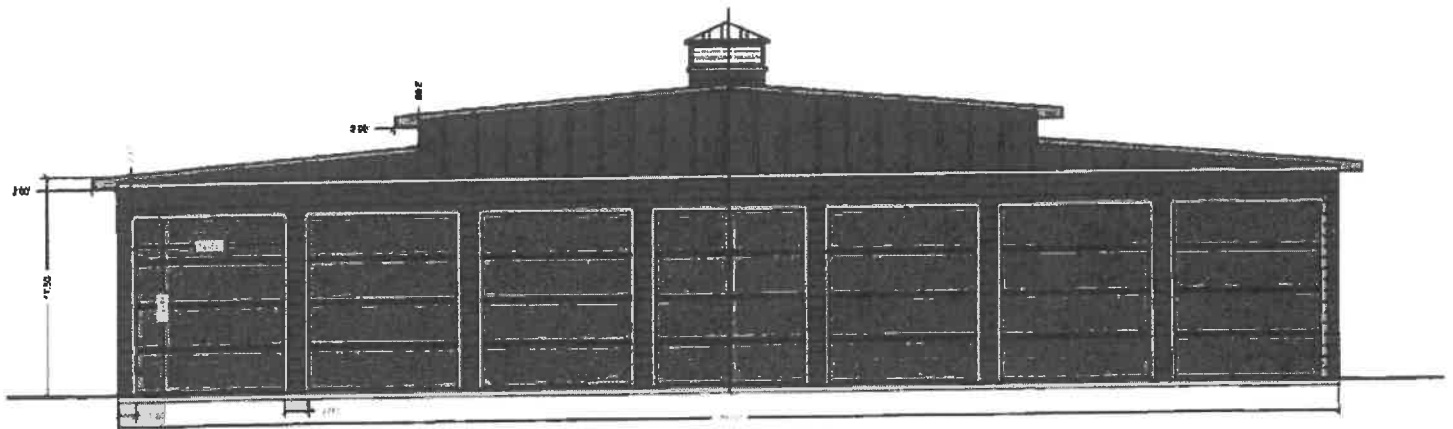
BUILDING F EAST ELEVATION

SCALE: 1" = 12'



BUILDING F NORTH & SOUTH ELEVATION

SCALE: 1" = 12'



BUILDING B ELEVATION

SCALE: 1" = 12'

Attachment C

Building Design and Materials

(Colors to be of muted earth tones unless otherwise displayed herein)



Eight (8) foot wall for visual screening shall be precast and textured as shown in the image, with vertical columns every eight feet. The top of each column shall have a cap. The top of the wall shall have a border. The wall shall be a muted earth-toned color, as defined by Weber County Code. Substitute material of similar visual quality, as determined by the Weber County Planning Division Director, may be used.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Agenda Item: A request from Nordic Village Venture for preliminary subdivision approval of Nordic Village Phase 3 Subdivision, an 80-lot subdivision located in the Form-Based (FB) Zone at approximately 2600 Nordic Valley Way, Eden, UT, 84310.

Agenda Date: October 28, 2025

Applicant: Nordic Village Venture, Ryan Christofferson (Authorized Representative)

File Number: UVN102425

Property Information

Approximate Address: 2600 Nordic Valley Way, Eden UT 84310

Project Area: 21.31 acres

Zoning: FB

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 22-029-0013, 22-029-0004, 22-023-0088, 22-023-0059

Adjacent Land Use

North:	Vacant	South:	Nordic Valley Way
East:	Nordic Valley Way	West:	3500 East St/Nordic Valley Way

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov
801-399-8794

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 22, Form-Based Zone FB
- Title 106, Subdivisions, Chapter 1-8 as applicable

Background and Summary

9/30/2025 – Second Amendment to the recorded development agreement granted approval by the Weber County Commission.

This 80-lot subdivision includes a 50' wide private right-of-way, and connectivity to the subdivision boundary to the west. All concerns with Weber Fire District and Weber County Engineering shall be addressed prior to applying for final approval.

Analysis

General Plan: The Form Based zoning and village areas were adopted to implement the Commercial Development chapter of the 2016 Ogden Valley General Plan.

Zoning: The subject property is located in the FB Zone. Sec 104-22-1 provides the following purpose and intent for the zone:

The purpose and intent of the Form-Based Zone is to provide a form-based regulatory tool that focuses on the public street design and the buildings that frame the public street. This deemphasizes separation of land uses as is typically found elsewhere in this Land Use Code. Form-based regulations help enable a mixture of allowed uses, multimodal active transportation, and enhanced building design. Additionally:

- Implements the general plan. The Form-Based Zone regulations are intended to carry out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based small area zoning and transferable development rights.*

- b) *Creates street regulating plans. Each area affected by the Form-Based Zone shall be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to address specific design and functionality of streets and building facades along these streets. The intent is to stimulate the creation of buildings and streets that frame the public rights-of-way with architectural and design elements that are unified under a common design theme whilst enabling unique building facades.*

This development is located along Nordic Valley Way and will create a new street that will tie into the new roundabout being constructed at Viking Drive and Nordic Valley Way, as shown on the Nordic Valley Area Street Regulating Plan. This proposed subdivision is under the recorded zoning development agreement recorded 3/14/2023. This area is part of Parcels 5-8 in the recorded development agreement (see page 36, Exhibit B of the recorded development agreement). These parcels share 537 development rights with parcels 1 and 2, and 9 thru 15 (see 5.2.1.3 – page 8 – of the recorded development agreement). The developer is proposing to plat 80 of these development rights. 23 of these development rights have already received preliminary approval from the Ogden Valley Planning Commission in Phase 1B Subdivision. Including this subdivision, the total approved development rights will be 103 of the 537 (434 remaining development rights associated with these parcels).

Culinary Water, Sanitary Sewer, and Secondary Water: Nordic Valley Sewer Improvement District (NVSID) has provided a will-serve letter for culinary and wastewater services. Per 8.4.2 in the recorded development agreement (page 13), “*Master Developer shall construct or cause to be constructed a sanitary sewer system to service the Property by either (a) creating a sewer district to service the Project, or (b) connect to or be managed by an existing sewer district, or (c) connect to a future regional sewer treatment system/district.*”

Prior to applying for final approval, the developer shall provide engineered improvement plans to the County and have them approved by Weber County Engineering.

Sensitive Lands: The subject property is in a geologic hazards area, and a preliminary report has been submitted. A project-specific, final report is required with application for final approval. All recommendations outlined in these reports shall be followed with commencement with installation of improvements and any vertical construction.

Review Agencies: The Weber County Engineering Division Weber Fire District have reviewed the proposal. Prior to applying for final approval, all review agencies preliminary comments will need to be addressed.

Staff Recommendation

Staff recommends preliminary approval of Nordic Village Phase 3 Subdivision, consisting of 80 lots, located at approximately 3567 Nordic Valley Way, in the Form-Based (FB) Zone. This recommendation for approval is subject to all applicable review agency requirements, and is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with all previous approvals and the applicable County ordinances.

Exhibits

- A. Application
- B. Will-serve Letter
- C. Proposed Preliminary Plat & Phasing Plan

Location Map 1



Exhibit A - Application

Nordic Village Phase 3 Subdivision

[+ Add Follower](#)[✎ Change Status](#)[✎ Change Review Due Date](#)[✎ Edit Project](#)

Address: 3567 Nordic Valley Way, Eden, UT, 84310
Maps: [Google Maps](#)
Project Type: Subdivisions
Sub Type: Preliminary Subdivision
Created By: [Eric Langvardt](#)
Created On: 5/21/2025

Project Status: Submitted
Status Date: 8/7/2025
File Number:
Project Manager:

[Application](#) [Documents 13](#) [Comments 1](#) [Reviews 5](#) [Followers 16](#) [History](#) [Reminder 0](#) [Payments 2](#)
[Area Fees](#) [Internal 0](#)

Application

[+ Add Building](#) [+ Add Parcel](#) [✎ Edit Application](#) [+ Add a Contractor](#) [Print](#) [Building Permit](#)

Project Description

Nordic Phase 3 Subdivision

Property Address

3567 Nordic Valley Way
Eden, UT, 84310

Property Owner

Ryan Christofferson
801-889-2683
rchristofferson@clydecapitalgroup.com

Property Owner

Ryan Christofferson
801-889-2683
rchristofferson@clydecapitalgroup.com

Representative

Eric Langvardt
801-505-8090
eric@langvardtdesigngroup.com

Accessory Dwelling Unit

False

Current Zoning

N/A

Subdivision Name

Nordic Phase 3

Number of new lots being created

77

Number of lots affected

0

Number of lots approved

0

Lot Number

Lot Size

Frontage

Culinary Water Authority

Not Applicable

Secondary Water Provider

Not Applicable

Sanitary Sewer Authority

Not Applicable

Nearest Hydrant Address

2615 Nordic Valley Way

Signed By

Representative, Eric Langvardt

Parcel Number

[✖ Remove](#) 220290013 - [County Map](#)

[✖ Remove](#) 220290004 - [County Map](#)

[✖ Remove](#) 220230088 - [County Map](#)

[✖ Remove](#) 220230059 - [County Map](#)

Exhibit B – Will-Serve Letter

Nordic Valley Sewer Improvement District (NVSID)
Will-Serve Letter Regarding Retail Water and Wastewater Sewer Service

To Whom It May Concern,

The Nordic Valley Sewer Improvement District (NVSID) is pleased to acknowledge receipt of the request from the Nordic Village Public Infrastructure District Nos. 1–3 (the "PIDs") for NVSID to assume ownership, operation, and maintenance of certain culinary water and sanitary sewer improvements and facilities (collectively, the "Improvements") in connection with the existing and planned development surrounding the Nordic Valley Ski Resort, located at approximately 3567 Nordic Valley Way, Eden, UT 84310 (the "Resort").

This Will-Serve Letter confirms that, subject to the conditions and requirements below, NVSID will provide retail culinary water and wastewater sewer service to the project area served by the PIDs and the Resort. The commitment to provide these services includes both operation of completed infrastructure and delivery of retail-level utility service directly to end users within the project area.

1. Description of Improvements:

Sewer Infrastructure: Sanitary sewer collection lines, treatment facilities, and associated land or easements as specified in the Preliminary Engineering Report prepared by Aqua Engineering.

Water Infrastructure: Potable water wells, transmission lines, storage tanks, distribution lines, and related land or easements as specified in the Nordic Village Water Master Plan prepared by Horrocks Engineering.

2. Conditions for Acceptance:

All Improvements must be completed in full compliance with NVSID's permitting requirements.

Construction must conform to NVSID's standards, specifications, and applicable local, state, and federal regulations.

All applicable fees associated with the Improvements must be paid in full prior to dedication.

3. Developer and PID Responsibilities:

The PIDs and/or the Resort shall bear responsibility for the design, funding, construction, and permitting of the Improvements.

All infrastructure must be inspected and approved by NVSID prior to dedication and activation of services.

4. Provision of Retail Utility Services:

Subject to the satisfactory completion and dedication of Improvements, NVSID will provide ongoing retail culinary water service and wastewater sewer service to users within the project area.

NVSID will bill and collect fees directly from end users in accordance with its adopted rate structure and service policies.

5. No Obligation to Construct:

This letter does not obligate the PIDs or the Resort to construct any improvements unless required under a separate written agreement with NVSID.

6. Validity and Terms:

This Will-Serve Letter is valid for twelve (12) months from the date of issuance and is contingent upon compliance with all listed conditions.

Failure to meet these requirements may result in withdrawal or revocation of this commitment.

7. Confirmation of Retail Water Service Authority:

NVSID's authority to provide culinary water service authority resides in two specific actions: 1) NVSID affirms that on October 4, 2024, in a public meeting of the NVSID board of trustees, the board unanimously approved culinary water delivery as a district service. 2) On November 11, 2024 and again on May 19, 2025, in public meetings of the NVSID board of trustees, the board unanimously approved Resolutions amending the district bylaws to include culinary water service delivery under the authority of U.C.A. § 17B-1-202(1)(a)(xiii) and (8).¹ In terms of regulatory authority, the Utah Division of Drinking Water reviewed and approved the plans for Well #1 equipping, the Nordic Valley Water Tank, and the Nordic Valley Transmission Line, submitted by Horrocks Engineering on April 26, 2024.

The Division granted Plan Approval for drilling Well #1 on February 22, 2023.

Although the well was originally drilled under the Eden Crossing system (UTAH29132, File #13247, WS003), the Division of Drinking Water has issued its approval of the water system in the name of the Nordic Village Water District,² and the well will be equipped and operated under this new system.

This regulatory approval and system transfer confirm NVSID's authority and capacity to deliver retail water service within the project area.

Please feel free to contact us with any questions or requests for further documentation.

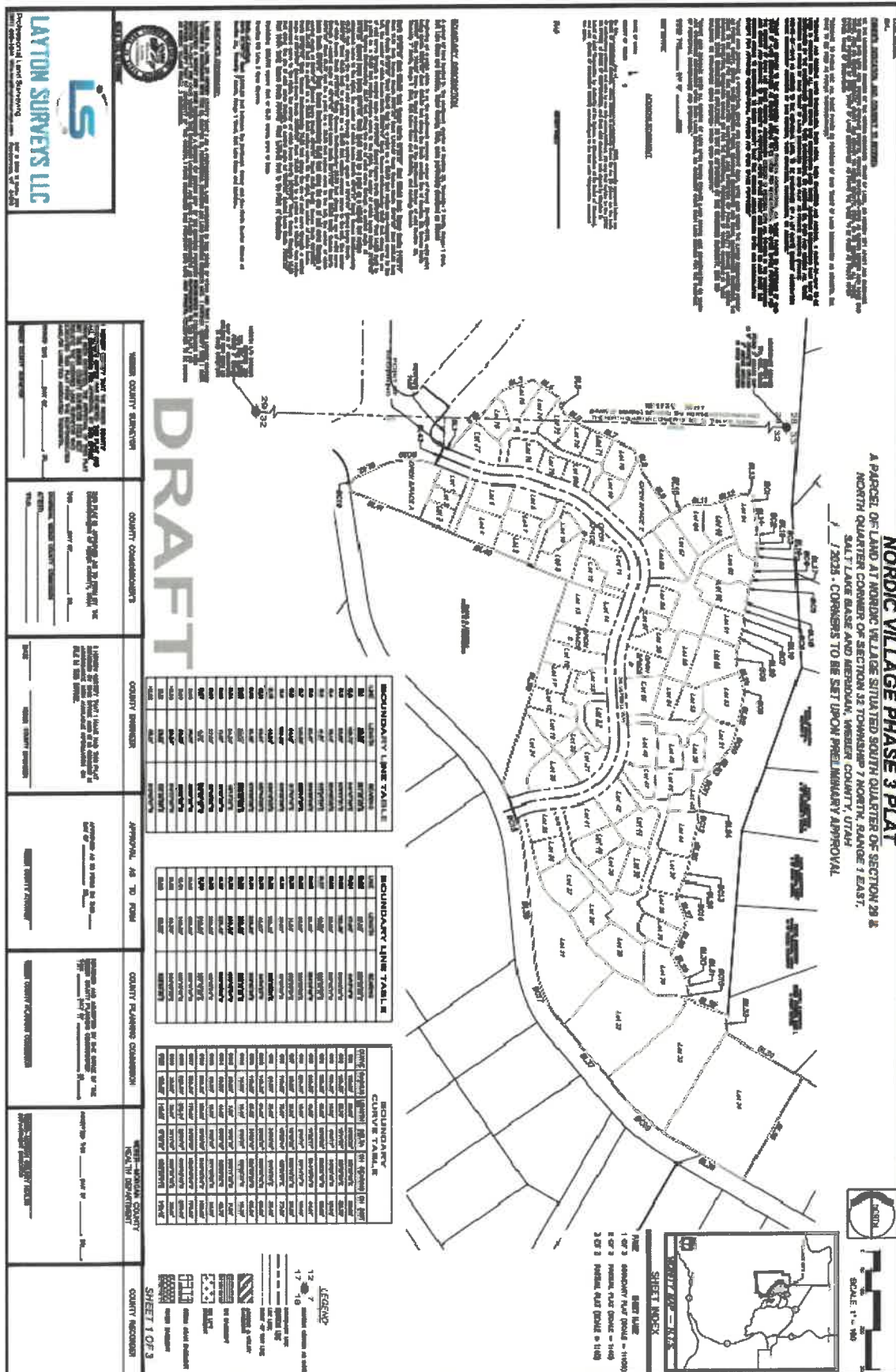
Sincerely,

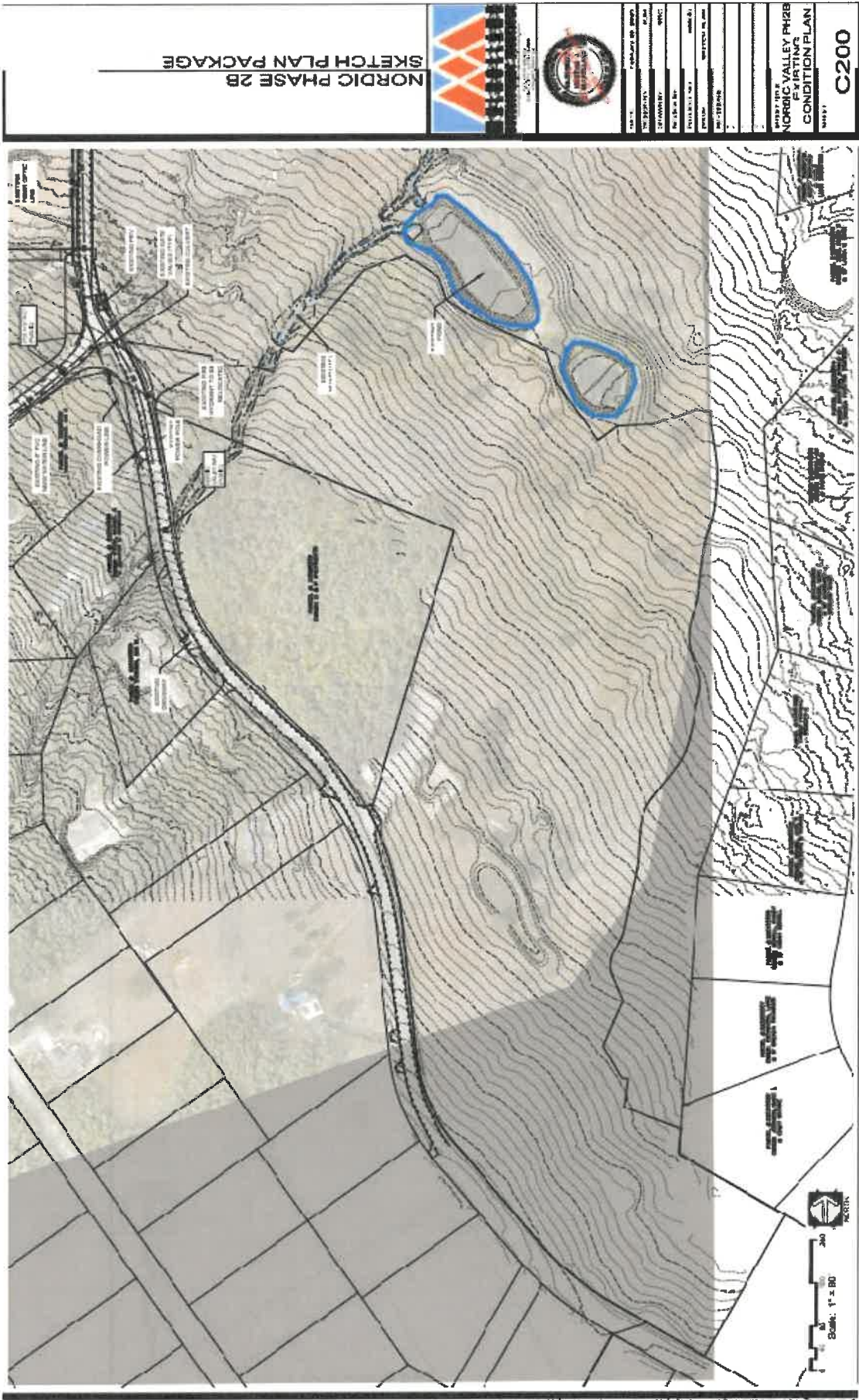
Robert Behunin 20 May 2025

Rob Behunin
Chair, Board of Trustees
Nordic Valley Sewer Improvement District

¹ U.C.A. § 17B-1-202(8) provides: [a] special district created before May 10, 2011, authorized to provide culinary, irrigation, sewage, or storm water services described in Subsection (1)(a)(xiii) [storm, flood, sewage, irrigation and culinary water, whether the system is operated on a wholesale or retail level or both] on or after May 10, 2010."

Exhibit C – Proposed Preliminary Plat & Phasing Plan







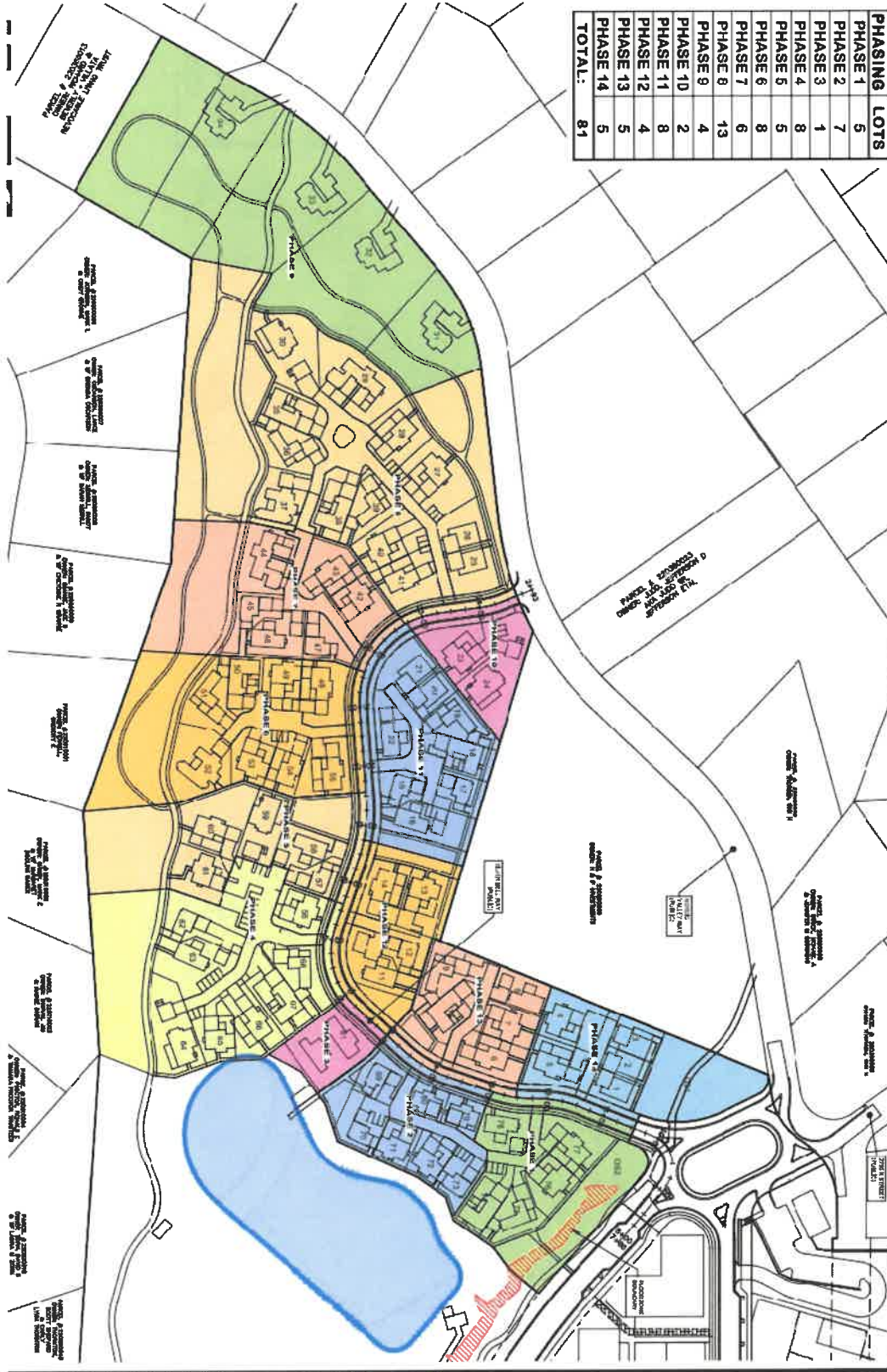
NORDIC PHASE 3
SKETCH PLAN PACKAGE



DATE	04/14/2020
PROJECT	NORDIC PHASE 3
CLIENT	WMC
DESIGNER	WMC
SCALE	1" = 80'
PROJECT NO.	2019-001
PROJECT NAME	NORDIC PHASE 3
PROJECT LOCATION	NORTH VALLEY RD, ALBANY, NY
PROJECT TYPE	RESIDENTIAL
PROJECT STATUS	SKETCH PLAN
PROJECT DESCRIPTION	NORDIC PHASE 3
PROJECT OWNER	WMC
PROJECT CONTACT	WMC
PROJECT PHONE	518-265-1234
PROJECT FAX	518-265-1234
PROJECT EMAIL	WMC@WMC.COM
PROJECT WEBSITE	WWW.WMC.COM
PROJECT ADDRESS	NORTH VALLEY RD, ALBANY, NY 12205
PROJECT CITY	ALBANY, NY
PROJECT STATE	NY
PROJECT ZIP	12205
PROJECT COUNTY	SARATOGA
PROJECT TOWN	ALBANY
PROJECT VILLAGE	ALBANY
PROJECT CENSUS TRACT	900100
PROJECT FIPS COUNTY	51000
PROJECT FIPS STATE	51
PROJECT FIPS COUNTRY	US
PROJECT FIPS PROJECT	900100
PROJECT FIPS PHASE	3
PROJECT FIPS LOT	1
PROJECT FIPS LOT 2	2
PROJECT FIPS LOT 3	3
PROJECT FIPS LOT 4	4
PROJECT FIPS LOT 5	5
PROJECT FIPS LOT 6	6
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PROJECT FIPS LOT 62	62
PROJECT FIPS LOT 63	63
PROJECT FIPS LOT 64	64

C201

PHASING	LOTS
PHASE 1	5
PHASE 2	7
PHASE 3	1
PHASE 4	8
PHASE 5	5
PHASE 6	8
PHASE 7	6
PHASE 8	13
PHASE 9	4
PHASE 10	2
PHASE 11	8
PHASE 12	4
PHASE 13	5
PHASE 14	5
TOTAL:	81



NORDIC PHASE 3 SKETCH PLAN PACKAGE



DATE: December 8, 2005

DESIGNED BY: S&B

DRAWN BY: S&B

REVIEWED BY: S&B

APPROVED BY: S&B

PROJECT: PHASE 3 SKETCH PLAN

SCALE: 1" = 100'

PHASE 3 SKETCH PLAN



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: File Number CUP 2025-21 - A request for approval of a conditional use permit for a laydown yard situated on a property within the MV-1 Zone. The laydown yard is used by 1884 LineCo for Rocky Mountain Power Work on the Eden Wildfire Mitigation Plan.

Agenda Date: Tuesday, October 28, 2025

Applicant: Victoria Garcia, Representative

Property Information

Approximate Address: 4785 E 2600 N and 4775 E 2600 N Eden UT, 84317

Project Area: 2.27 acres

Zoning: Manufacturing MV-1

Existing Land Use: Vacant

Proposed Land Use: Temporary Laydown Yard

Parcel ID: 22-159-005, 22-159-0006

Township, Range, Section: T7N, R1E, Section 34

Adjacent Land Use

North:	Residential	South:	Residential
East:	Residential	West:	Residential

Staff Information

Report Presenter: Felix Lleverino
fleverino@co.weber.ut.us
801-399-8767

Report Reviewer: TA

Applicable Ordinances

- Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Title 104 Chapter 21 (MV-1 Zone)
- Title 108 Chapter 1 (Design Review)
- Title 108 Chapter 4 (Conditional Uses)
- Title 108 Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulation)

Summary and Background

The applicant requests approval of a conditional use permit for a temporary lay down yard of material and equipment related to the replacement of Rocky Mountain Power Infrastructure in Eden. The 1884 LineCo is leasing the private property for this purpose. No structures are built for this purpose. Considering that the use is still underway and the applicant has exceeded the one-year time frame, the Weber County Code Enforcement requires that a conditional use permit be obtained to allow for site operations for the remaining time needed to complete the work. The estimated completion date is September 2026.

This operation is permitted in the MV-1 zone within the 12 month time allotment. This proposal has been in operation for more than 12 months and is anticipated to operate for an additional 16 months, thereby requiring a conditional use permit.

Analysis

General Plan: This operation is listed as a permitted in the MV-1 zone. With a conditional use permit, this operation may continue and is not contrary to the goals of the General Plan.

Zoning: The purpose and intent of the MV-1 Zone can be further described in LUC §104-21-1 (a) as follows:

The purpose of the Manufacturing (MV-1) Zone, is to provide a light manufacturing zone in areas of the Ogden Valley Planning Area that will accommodate the need for light intensity type manufacturing and its associated accessory uses, some of which may have an environmental impact requiring public review and regulation.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects.

The following is an analysis of the proposal reviewed against the conditional use standards:

- 1) Standards relating to safety for persons and property.

The primary impacts are likely to occur for properties along the street route, within the adjacent commercial zone to the east, and within public right-of-way in the various project areas within Eden. Mitigation measures for dust within the property and within the cul de sac will be mitigated by watering trucks and regular street sweeping.

- 2) Standards relating to infrastructure, amenities, and services.

The primary impacts will take place within the street infrastructure. It is anticipated that other impacts to amenities and services are nominal.

- 3) Standards relating to the environment.

The proposal will not negatively impact the environment.

- 4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.

The proposal is not anticipated to substantially impact the surrounding area. With the establishment of appropriate conditions as determined by the Planning Commission, this operation is not anticipated to negatively impact the surrounding areas or be at odds with any of the goals and policies of the General Plan.

- 5) Standards relating to performance

The 1884 LineCo operator is contracted to do work for Rocky Mountain Power who also bears some responsibility to ensure that the infrastructure is installed to their specifications. The County Zoning Enforcement, Engineering, and Planning Division are responsible to conduct regular inspections to ensure public safety and mitigation measures from this conditional use permit.

- 6) Standards generally

The owner is responsible for keeping the operation free of nuisances such as noise, light, and traffic issues. The planning staff's conditions of approval will serve to mitigate potential issues.

- 7) Voluntary contributions providing satisfactory compliance with applicable standards

If the planning commission identifies issues not covered in this report, the applicant can volunteer solutions.

Parking and Loading Space, Vehicle Traffic and Access Regulations: The employee parking and construction vehicles will park within the designated parking area within the bounds of the property. Signage to remind drivers to reduce their speeds, driver training, and the use of telematics in the construction vehicles are utilized to avoid traffic violations.

Design Review: In addition to the conditional use review, a design review is required to address applicable considerations listed in the section 108-1-4 below:

- (a) Considerations relating to traffic safety and traffic congestion.

The asphalt public street from which this property fronts is currently a public cul de sac that is built and operational, with a radius that measures 45 feet, and which is compliant with the minimum county standards. All of the traffic for this use will enter and exit at the same location on 2600 North Street.

- (b) Considerations relating to outdoor advertising.

Business signage will not be used for this proposal.

- (c) Considerations relating to landscaping.

The temporary nature of the use does not require landscaping or the irrigation of landscaping.

- (d) Considerations relating to buildings and site layout.

The property is surrounded by a six-foot fence that has an entry gate through which all vehicles enter. The Entire site is under 24 video surveillance. The property is vacant of permanent structures.

- (e) Considerations relating to utility easements, drainage, and other engineering questions.

The engineering division has no concerns with this proposal and requires the road is kept clean of any debris. The Weber Fire District requires that fire extinguishers shall be installed in the office building. Fire access shall be maintained to the office or other structures located on the property.

- (f) Considerations relating to prior development concept plan approval associated with any rezoning agreement planned commercial or manufacturing rezoning, or planned residential unit development approval.

There are no prior development approvals or rezoning development agreements that apply to the subject property.

Staff Recommendation

Staff recommends approval of this conditional use permit application, subject to the applicant meeting the following conditions of approval in addition to any conditions of the various reviewing agencies or the Ogden Valley Planning Commission.

Planning conditions of approval:

- 1) The traffic shall abide by the Storm Water Pollution Prevention requirements.
- 2) The site shall be kept and maintained for safety and good visual appearance
- 3) The site and the streets within the cul-de-sac shall be watered to mitigate dust.
- 4) Street sweeping shall take place on a daily basis.
- 5) All vehicles shall obey the speed limit and shall park within the designated area specified on the site plan.

The following findings are the basis for the staff's recommendation:

- 1) The proposed use is allowed in the MV-1 Zone and meets the appropriate site development standards.
- 2) The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

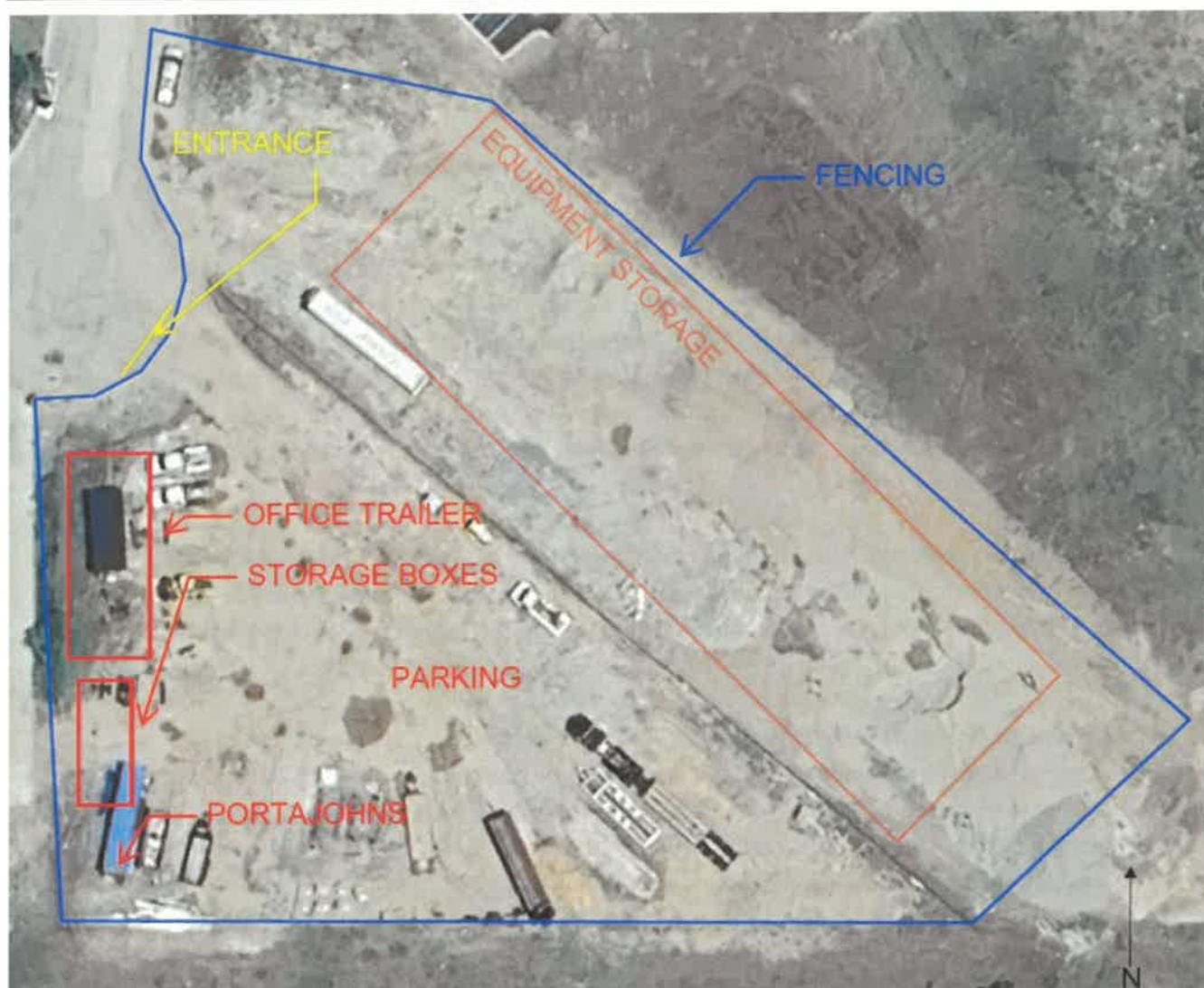
Exhibits

- A. Site plan
- B. Narrative

Map 1



Exhibit A





EDEN LAYDOWN YARD NARRATIVE

Summary: 1884 Line Co has been contracted by Rocky Mountain Power to work on their Wildfire Mitigation Plan in the Eden area. This work consists of undergrounding portions of the electrical infrastructure in the area as well as removing and replacing power poles. To support this work, 1884 Line Co. has leased a privately owned property to serve as a temporary construction laydown yard. This laydown yard will be housing a mobile office trailer, construction equipment, wooden and steel poles, and other electrical equipment.

Security Measures: We have installed chain link fencing along the perimeter of the yard as well as a locking chain link gate at the entrance of the yard. Additionally, we utilize cameras and a Stallion Security Station on the premises to remotely monitor and document activity.

Community Impact: We understand that we will be working near other businesses and residents. We will continue to train our employees on being good neighbors to keep our impact to a minimum. Signage reminding drivers to reduce their speed have been placed along the street leading to the yard and telematics have been installed on all company vehicles so that any employee caught speeding will be trained/reprimanded. Dust control concerns have also been raised by the community so we will increase our frequency of watering and track out pads have been installed to keep the street free of excess dust and aggregate materials. We hope to actively engage with our neighbors to resolve any issues that may arise.

Operating Hours and Activity: Our yard will be in operation from 5:30 AM – 7 PM. No loud noise producing activities will take place between before 7 AM. We anticipate having about 5 employees to be on site at all times but as our drivers and craft employees enter to retrieve and drop off equipment, there will be increased traffic entering and exiting the property.